

CONTINUATION

OF THE COMPLETE

HISTORY

OF

ENGLAND.

By T. SMOLLETT, M.D.

VOLUME THE THIRD.

Non tamen pigebit vel incondita ac rudi voce memoriam prioris servitutis, ac
testimonium præsentium bonorum composuisse, Tacit. Agricola.



L O N D O N :

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CONTINUATION
OF THE
HISTORY
OF
ENGLAND.

GEORGE II.

THE parliament, having performed the ceremony of addresses to the throne, immediately proceeded to the great work of the supply. The two committees in the house of commons were immediately established, and continued by adjournments to the month of May, by the twenty-third day of which all their resolutions were taken. They voted sixty thousand men, including fourteen thousand eight hundred and forty-five marines, for the service of the ensuing year; and for the operations by land, a body of troops amounting to fifty-two thousand five hundred and fifty-three effective men, besides the auxiliaries of Hanover, Hesse, Brunswic, Saxe-Gotha, and Buckenburgh, to the number of fifty thousand, and five

An. 1759.

Articles
of supply
granted
in parlia-
ment for
the year
1759.

An. 1759. battalions on the Irish establishment, in actual service in America and Africa. For the maintenance of the sixty thousand men employed in the sea-service, they granted three millions one hundred and twenty thousand pounds; for the land-forces, one million two hundred fifty-six thousand one hundred and thirty pounds fifteen shillings and two-pence; for the charge of the additional five battalions, forty thousand eight hundred and seventy-nine pounds thirteen shillings and nine-pence; for the pay of the general and staff-officers, and hospitals of the land-forces, fifty-two thousand four hundred and eighty-four pounds one shilling and eight-pence; for maintaining the garrisons in the plantations, Gibraltar, Nova Scotia, Newfoundland, Providence, Cape Breton, and Senegal, the sum of seven hundred and forty-two thousand five hundred and thirty-one pounds five shillings and seven-pence; for the charge of ordnance for land service, two hundred and twenty thousand seven hundred and eighty-nine pounds eleven shillings and nine-pence; for extraordinary service performed by the same office, and not provided for by parliament in the course of the preceding year, three hundred twenty-three thousand nine hundred and eighty-seven pounds thirteen shillings and three-pence; for the ordinary of the navy, including half-pay to sea officers, two hundred and thirty-eight thousand four hundred and ninety-one pounds nine shillings and eight-pence; towards the support of Greenwich hospital, and for the out-pensioners of Chelsea college, the sum of thirty-six thousand pounds. They allotted for one year's expence, incurred by the foreign troops in the pay of Great Britain, one mil.

million two hundred thirty-eight thousand one hundred and seventy-seven pounds nineteen shillings and ten-pence, over and above sixty thousand pounds, for enabling his majesty to fulfil his engagements with the landgrave of Hesse-Cassel, pursuant to the separate article of a new treaty concluded between them in the month of January of this current year, stipulating that this sum should be paid to his serene highness, in order to facilitate the means by which he might again fix his residence in his own dominions, and by his presence give fresh courage to his faithful subjects. Eighty thousand pounds were granted for enabling his majesty to discharge the like sum, raised in pursuance of an act passed in the preceding session, and charged upon the first aids or supplies to be granted in this session of parliament. The sum of two hundred thousand pounds was voted towards the building and repairing ships of war for the ensuing year. Fifteen thousand pounds were allowed for improving London-bridge; and forty thousand on account for the Foundling-hospital. For the charge of transports to be employed in the course of the year, they assigned six hundred sixty-seven thousand seven hundred and twenty-one pounds nineteen shillings and seven-pence: for maintaining the colonies of Nova Scotia and Georgia, they bestowed twenty-five thousand two hundred and thirty eight pounds thirteen shillings and five-pence. To replace sums taken from the sinking fund, thirty-three thousand two hundred and fifty-two pounds eighteen shillings and ten-pence half penny; for maintaining the British forts and settlements on the coast of Africa, ten thousand pounds;

An. 1759. and for paying off the mortgage on an estate, devised for the endowment of a professorship in the university of Cambridge, the sum of twelve hundred and eighty pounds. For the expence of the militia they voted ninety thousand pounds: for extraordinary expences relating to the land forces, incurred in the course of last year, and unprovided for by parliament, the sum of four hundred sixty-six thousand seven hundred and eighty-five pounds ten shillings five-pence and three farthings. For the purchase of certain lands and hereditaments, in order to secure the king's docks at Portsmouth, Chatham, and Plymouth, they granted thirty-six thousand nine hundred and sixty-six pounds two shillings and ten-pence. They voted two hundred thousand pounds for enabling his majesty to give proper compensations to the respective provinces in North America, for the expences they had incurred in levying and maintaining troops for the service of the public. They granted twenty thousand pounds to the East-India company, towards enabling them to defray the expence of a military force in their settlements; and the same sum was granted for carrying on the fortifications to secure the harbour of Milford. To make good several sums issued by his majesty, for indemnifying the innholders and victuallers of Hampshire, for the expences they had incurred by quartering the Hessian auxiliaries in England; for an addition to the salaries of judges, and other less considerable purposes, they allowed the sum of twenty-six thousand one hundred and seventy-eight pounds sixteen shillings and six-pence. Finally, they voted one million, upon account, for enabling the king to defray

fray any extraordinary expence of the war, incurred, or to be incurred, for the service of the current year; and to take all such measures as might be necessary to disappoint or defeat any enterprizes or designs of his enemies, as the exigency of affairs should require. An. 1759.

The sum of all the grants voted by the committee of supply, amounted to twelve millions seven hundred sixty-one thousand three hundred and ten pounds nineteen shillings and five-pence.

The funds allotted for raising this vast supply, consisted of the land-tax at four shillings in the pound, the malt-tax continued, and the following expedients. They resolved, that the annuities at three per centum, amounting to three millions one hundred thousand pounds, granted in the year one thousand seven hundred and fifty-seven, should be, with the consent of the several proprietors, added to the joint-stock of three per centum transferable annuities at the bank of England, consolidated by the acts passed in the twenty-fifth, twenty-eighth, and twenty-ninth years of his majesty's reign, and the charges and expences thereof to be charged upon the sinking-fund, until redemption by parliament; and that all such persons as should not, before the fifth of April next, signify their dissent, in books to be opened at the Bank for that purpose, should be deemed assenting to this proposal. They further resolved, that all the moneys which might arise, after the fifth day of January, from the produce of the additional stamp-duties on pamphlets, printed papers, coals exported, the surplus of the new duty on licences for retailing wine and spirituous liquors, which were constituted a fund for pay- Funds allotted for raising the supply.

An. 1759. ing three per centum per annum at the Bank, on three millions borrowed, by virtue of an act passed in the thirtieth year of his majesty's reign, towards the supply of the year one thousand seven hundred and fifty-seven; as also the annuities on single lives, payable at the receipt of the Exchequer, in respect of the same, should be added to the sinking fund. They resolved, that six millions six hundred thousand pounds should be raised by transferable annuities, after the rate of three pounds per centum per annum; and that an additional capital of fifteen pounds should be added to every hundred pounds advanced; which additional capital should consist of ten pounds, given in a lottery-ticket to each subscriber, and of five pounds in like transferable annuities at three pounds per centum: the blanks and prizes of the lottery to be attended with like annuities, after the rate of three pounds per centum per annum, to commence from the fifth day of January in the year one thousand seven hundred and sixty: that the sum of six millions six hundred thousand pounds, together with the said additional capital of five pounds per centum, amounting to three hundred and thirty thousand pounds, making in the whole six millions nine hundred and thirty thousand pounds, should bear interest after the rate of three per centum, to commence on the fifth day of July next ensuing; that these annuities should be transferable at the bank of England, and charged upon a fund established for that purpose in this session of parliament, for which the sinking-fund should be a collateral security, redeemable by parliament in the whole, or in part, by sums not less than five hundred thousand pounds

ponnds at one time, six months notice having An. 1759.
been first given of such payments respectively :
that the lottery should consist of tickets valued at
ten pounds each, in a proportion not exceeding
eight blanks to a prize, each blank to be valued at
six pounds. They resolved, that every subscriber
should, on or before the thirteenth day of Februa-
ry, make a deposit of fifteen per centum, on such
sum as he should chuse to subscribe towards raising
the six millions six hundred thousand pounds, with
the cashiers of the bank of England, as a security
for his making the future payments on or before
the times limited by the act : that the several sums
so received should, by the cashiers, be payed into
the receipt of his majesty's Exchequer, to be ap-
plied, from time to time, to such services as the
commons should then have voted, and not for any
other purpose : that any subscriber, paying the
whole, or any part of his subscription, previous to
the days appointed for the respective payments,
should be allowed a discount, after the rate of three
pounds per centum per annum, from the days of
such respective payments to the times prescribed.
They resolved, that a subsidy of one shilling in the
pound should be imposed on all tobacco, foreign
linens, sugar and other grocery, East-India com-
modities, foreign brandy, spirits, and paper im-
ported into Great Britain, according to the value
settled on each commodity by the several books of
rates, or any acts of parliament, over and above the
present duties charged upon these articles. They
laid an additional inland duty of one shilling per
pound upon all coffee sold in Great Britain, by
wholesale or retail ; and another of nine-pence per
pound

An.1759. pound upon chocolate, over and above the former inland duty, and all customs payed on its importation. They resolved, that such part of the hundred thousand pounds, granted in the last session, towards defraying the expence of the militia, as remained in the Exchequer, after satisfaction of that expence, should be issued and applied towards raising the supply granted in this session. That after the fifth day of July, in the current year, any person might trade in any goods or wares, in which the quantity of gold, in any one separate piece, should not exceed two penny weights, or the quantity of silver be under five penny weights, without being liable to take out a licence for that purpose; but that, from the same date, every person selling gold or silver plate, or goods in which gold or silver is manufactured, and the quantity of gold in one distinct piece should amount to two ounces or upwards, or the quantity of silver in one piece, amounts to thirty ounces or upwards, should pay five pounds for an annual licence, instead of the forty shillings formerly payable for this purpose; and that all pawnbrokers, refiners, and others, trading in gold and silver plate, should be obliged to take out this new annual licence: the sums thus raised to be applied to the same uses and purposes, to which the sums charged on licences by an act of last session were applicable. They resolved, that the act to settle the trade to Africa, passed in the reign of William III. for allowing, during a limited time, a drawback of the duties upon the exportation of copper bars imported, with a proviso continued by several successive acts, and now near expiring, should be further protracted; that so much

of an act, passed in the eighth year of George I. An. 1759. for encouraging the silk manufacture of the kingdom, as relates to this encouragement, and to taking off several duties on merchandize exported, should likewise be continued. They moreover voted the continuation of so much of an act passed in the second year of George II. for the better preservation of his majesty's woods in America, as related to the premium upon masts, yards, and bowsprits, tar, pitch, and turpentine. They resolved, that the act for encouraging the growth of coffee in the American plantations, and another for the more effectual securing the duties on foreign-made sail-cloth imported into the kingdom, should be continued. They determined, that the sums remaining in the receipt of the Exchequer, disposable by parliament, amounting to the sum of two hundred fifty-three thousand three hundred and eighty-four pounds eleven-pence, should be applied towards making good the supply granted in this session. They resolved, that the duties payable upon raw short silk or capiton, and silk nubs or husks, should, after the fifth day of July, cease and determine; but, in lieu thereof, that the same duties should be payed upon the importation of these articles, as were payed upon raw long silk imported, and applied to the same purposes.

Towards the present supply they likewise allotted the sum of one hundred thousand pounds, repayed into the receipt of the Exchequer, being the sum which was granted in the year one thousand seven hundred and fifty five, for enabling the king to fulfil his engagements with the empress of Russia. For defraying the expence incurred by the additional

An. 1759. tional salaries granted to the judges, they imposed an additional stamp-duty of six-pence upon every piece of vellum or parchment, or sheet or piece of paper, on which should be engrossed or written any affidavit used in any court of law or equity at Westminster, or in the courts of the great sessions in Wales, or county-palatine of Chester, except affidavits taken pursuant to several acts made in the thirtieth and thirty-second years of the reign of Charles II. for burying in woollen; and except such affidavits as should be taken before the officers of the customs, or any justice of the peace, or commissioners appointed by act of parliament for assessing or levying aids or duties granted to his majesty, which affidavits should be taken by the said officers of the customs, justices, or commissioners, by virtue of their authority, as justices of the peace, or commissioners, respectively. This additional stamp-duty was charged on all affidavits read and filed in the aforesaid courts of judicature; on all paper and vellum used for common bail, rules, or orders, copies of rules or orders, original writs, subpœnas, process or mandate that should issue from or pass the seals of any of the courts of Westminster, courts of the great sessions in Wales, courts in the counties-palatine, or any other court whatever holding plea, where the debt or damage amounts to forty shillings or above, or the thing demanded is of that value; excepting, however, writs of covenant for levying fines, writs of entry for suffering common recoveries, and writs of habeas corpus. They moreover established an additional stamp-duty of one-penny upon every sheet of paper or piece of vellum, used for depositions taken
in

in the court of Chancery, or other court of equity at Westminster, (except the paper-draughts of depositions taken by virtue of any commission before they are engrossed) for copies of bills, answers, pleas, demurrers, replications, rejoinders, interrogatories, depositions, or other proceedings whatsoever, in this or any other court of judicature in England and Wales. The augmentation of salaries granted to the judges in Scotland was charged upon the duties and revenues collected in that part of Great Britain. An. 1759.

Finally, the commons resolved, that the sum of two millions two hundred and fifty thousand pounds should be issued out of the sinking-fund towards the supply of the current year; and one million raised by exchequer-bills, chargeable on the first aids to be granted in the next session of parliament.

On the whole, the provision made by the committee of ways and means amounted to twelve millions nine hundred ninety one thousand two hundred and thirty-nine pounds; so that there was an excess of two hundred twenty-nine thousand nine hundred and twenty-eight pounds one shilling and four-pence, besides the uncertain sum arising from the overplus of what had been voted for the maintenance and cloathing of the militia. Nearly two millions of this supply was granted for the purpose of carrying on the war in Germany, exclusive of the extraordinary expence incurred by transporting and recruiting the national troops of Great Britain in actual service upon that continent, train of artillery, convoys, forage, hospitals, and other contingencies of a campaign. Indeed, the whole expence

An. 1759. pence of maintaining these troops ought to be placed to the account of the German war, inasmuch as their absence from Great Britain laid the nation under the necessity of retaining the militia in actual service. The bills founded on these resolutions were passed with great unanimity, and received the sanction of the royal assent.

King's
message
to the
com-
mons.

The commons were still employed in deliberations on ways and means on the twenty-second day of May, when Mr. secretary Pitt communicated to them a message from the king, couched in these terms: "His majesty, relying on the experienced zeal and affection of his faithful commons, and considering that, in this critical conjuncture, emergencies may arise, which may be of the utmost importance, and be attended with the most pernicious consequences, if proper means should not immediately be applied to prevent or defeat them, is desirous that this house will enable him to defray any extraordinary expences of the war, incurred, or to be incurred, for the service of the year one thousand seven hundred and fifty-nine, and to take all such measures as may be necessary to disappoint or defeat any enterprizes or designs of his enemies, and as the exigencies of affairs may require."

This message being read, a motion was made, and agreed to nemine contradicente, that it should be referred to the committee, who forthwith formed upon it the resolution, whereby one million was granted, to be raised by loans, or exchequer-bills, chargeable on the first aids that should be given in the next session. This produced a bill enabling his majesty to raise the sum of one million, for the uses and purposes therein mentioned, comprehend-

prehending a clause, allowing the bank of England to advance, on the credit of the loan therein mentioned, any sum not exceeding a million, notwithstanding the act of the fifth and sixth years in the reign of William and Mary, by which the Bank was established. An. 1759.

The bills relating solely to the supply being discussed and expedited, the house proceeded as usual to enact other laws for the advantage of the community. Petitions having been presented by the cities of Bristol and New Sarum, alledging, that since the laws prohibiting the making of low wines and spirits from grain, meal, and flour, had been in force, the commonalty appeared more sober, healthy, and industrious; representing the ill consequences which they apprehended would attend the repeal of these laws, and therefore praying their continuance; a committee of the whole house resolved, that the prohibition to export corn should be continued to the twenty-fourth day of December, in the year one thousand seven hundred and fifty-nine; subject, nevertheless, to such provisions for shortening the said term of its continuance as should therefore be made by any act of that session, or by his majesty with the advice of his privy council, during the recess of parliament; that the act for discontinuing the duties upon corn and flour imported, or brought in as prize, was not proper to be further continued; and that the prohibition to make low wines or spirits from any sort of grain, meal, or flour, should be continued to the twenty-fourth day of December, in the year one thousand seven hundred and fifty nine. Before the bill was formed on these resolutions, petitions arrived from

Bills relating to the distillery and exportation of corn.

Liver-

An. 1759. Liverpool and Bath, to the same purport as were those of Bristol and Sarum; while, on the other hand, a remonstrance was presented by a great number of the malt-distillers of the city and suburbs of London, alledging, that it having been deemed expedient to prohibit the distilling of spirits from any sort of grain to the twenty-fourth day of December then instant, some of the petitioners had entirely ceased to carry on the business of distilling; while others, merely with a view to preserve their customers, the compound distillers, and employ some of their servants, horses, and utensils, had submitted to carry on the distillation of spirits from molasses and sugars under great disadvantages, in full hope that the said restraint would cease at the expiration of the limited time, or at least when the necessity which occasioned that restraint should be removed; that it was with great concern they observed a bill would be brought in for protracting the said prohibition, at a time when the price of all manner of grain, and particularly of wheat and barley, was considerably reduced, and, as they humbly conceived, at a reasonable medium. They expatiated on the great loss they, as well as many traders and artificers dependents upon them, must sustain, in case the said bill should be passed into a law. They prayed the house to take these circumstances into consideration, and either permit them to carry on the distillation from wheat, malt, and other grain, under such restrictions as should be judged necessary; or to grant them such other relief, in respect of their several losses and incumbrances, as to the house should seem reasonable and expedient. This petition, though strenuously urged

urged by a powerful and clamorous body without doors, did not meet with great encouragement within. It was ordered to lie upon the table, and an instruction was given to the committee, empowering them to receive a clause or clauses to allow the transportation of certain quantities of meal, flour, bread, and biscuit, to the islands of Guernsey and Jersey, for the sole use of the inhabitants; and another to prohibit the making of low wines and spirits from bran. An. 1759.

Much more attention was paid to a petition of several farmers in the county of Norfolk, representing, that their farms consisted chiefly of arable land, which produced much greater quantities of corn than could be consumed within that county; that in the last harvest there was a great and plentiful crop of all sorts of grain, the greatest part of which had, by unfavourable weather, been rendered unfit for sale at London, or other markets, for home consumption; that large quantities of malt were then lying at London, arising chiefly from the crop of barley growing in the year one thousand seven hundred and fifty-seven, the sale of which was stagnated; that the petitioners being informed the house had ordered in a bill to continue the prohibition of corn exported, they begged leave to observe, that, should it pass into a law, it would be extremely prejudicial to all, and ruin many farmers of that county, as they had offered their corn for sale at divers ports and markets of the said county; but the merchants refused to buy it at any price, alledging its being unfit for the London-market, the great quantity of corn with which that market was already overstocked, and

An. 1759. their not being allowed either to export it, or make it into malt for exportation: they therefore prayed this prohibition might be removed, or they the petitioners indulged with some other kind of relief. Although this remonstrance was duly considered, the bill passed with the amendments, because of the proviso, by which his majesty in council was empowered to shorten the date of the prohibition, with respect to the exportation of corn, during the recess of parliament: but the temporary restraint laid upon distillation was made absolute without any such condition, to the no small disappointment and mortification of the distillers, who had spared no pains and expence, by private solicitation and strenuous dispute in the public papers, to recommend their cause to the favour of the community.

Argu-
ments
used for
and a-
gainst the
malt dis-
tillery.

They urged, that malt-spirits, when used in moderation, far from being prejudicial to the health of individuals, were, in many damp and marshy parts of the kingdom, absolutely necessary for preserving the field labourers from agues, and other distempers produced by the cold and moisture of the climate; that if they were debarred the use of malt-spirits, they would have recourse to French brandy, with which, as they generally resided near the sea coast, the smugglers would provide them almost as cheap as the malt-spirits could be afforded: thus the increased consumption of French spirit would drain the nation of ready money to a considerable amount, and prejudice the king's revenue in the same proportion. They observed, that many distillers had already quitted that branch of trade, and disposed of their materials; that all of them would probably take the same resolution, should

should the bill pass into a law, as no man could foresee when the prohibition would cease, should it be continued at a time when all sorts of grain abounded in such plenty: that the very waste of materials by disuse, over and above lying out of the money, would be of great prejudice to the proprietor: thus the business of distilling, by which so many families were supported, would be banished from the kingdom intirely: especially as the expence of establishing a large distillery was so great that no man would chuse to employ his money for this purpose, judging from experience, that some future accidental scarcity of corn might induce the legislature to interpose a ruinous delay in this branch of business. They affirmed, that, from the excessive use of malt-spirits, no good argument could be drawn against this branch of traffick, no more than against any other conveniency of life: that the excessive use of common beer or ale was prejudicial to the health and morals of the people, yet no person ever thought of putting an end to the practice of brewing, in order to prevent the abuse of brewed liquors. They urged, that in all parts of Great Britain there are some parcels of land that produce nothing to advantage, but a coarse kind of barley called big, which, though neither fit for brewing or for baking, may nevertheless be used in the distillery, and is accordingly purchased by those concerned in this branch at such an encouraging price, as enables many farmers to pay a higher rent to their landlords than they could otherwise afford: that there are every year some parcels of all sorts of grain so damaged by unseasonable weather, or other accidents, as to be ren-

An. 1759. dered altogether unfit for bread or brewery, and would prove a very great misfortune to the farmer, if there was no distillery, for the use of which he could sell this damaged commodity. They asserted, that malt-spirits were absolutely necessary for prosecuting some branches of foreign commerce, particularly the trade to the coast of Africa, for which traffick no assortment could be made up without a large quantity of geneva, of which the natives are so fond, that they will not traffick with any merchant who has not a considerable quantity, not only for sale, but also for presents to their chiefs and rulers: that the merchants of Great Britain must either have this commodity of their own produce, or import it at a great national expence from Holland: that the charge of this importation, together with the duties payable upon it, some part of which is not to be drawn back on exportation, would render it impossible for the traders to sell it so cheap on the coast of Africa as it might be sold by the Dutch, who are the great rivals of Great Britain in this branch of commerce.

To these arguments, all of which were plausible, and some of them unanswerable, it was replied, that the malt-spirits might be considered as a fatal and bewitching poison, which had actually debauched the minds and enervated the bodies of the common people to a very deplorable degree; that, without entering further into a comparison between the use and abuse of the two liquors, beer and geneva, it would be sufficient to observe, that the use of beer and ale had produced none of those dreadful effects which were the consequences of drinking geneva; and since the prohibition of the

distillery of malt-spirits had taken place, the common people were become apparently more sober, decent, healthy, and industrious: a circumstance sufficient to induce the legislature not only to intermit, but even totally to abolish the practice of distillation, which has ever been productive of such intoxication, riot, disorder, and distemper, among the lower class of the people, as might be deemed the greatest evils incident to a well-regulated commonwealth. Their assertion with respect to the coarse kind of barley, called big, was contradicted as a deviation from truth, inasmuch as it was used in making malt, as well as in making bread: and, with respect to damaged corn, those who understood the nature of grain affirmed, that, if it was spoiled to such a degree as to be altogether unfit for either of these purposes, the distillers would not purchase it at such a price as would indemnify the farmer for the charge of threshing and carriage; for the distillers are very sensible, that their greatest profit is derived from their distilling the malt made from the best barley, so that the increase of the produce far exceeded in proportion the advance of the price. It was not, however, an easy matter to prove that the distillation of malt-spirits was not necessary to an advantageous prosecution of the commerce on the coast of Guinea, as well as among the Indians in some parts of North America. Certain it is, that in these branches of traffick the want of geneva may be supplied by spirits distilled from sugars and molasses.

After all, it must be owned, that the good and salutary effects of the prohibition were visible in every part of the kingdom, and no evil consequences

An. 1759. quences ensued, except a diminution of the revenue in this article : a consideration which, at all times, ought to be sacrificed to the health and morals of the people : nor will this consideration be found of any great weight, when we reflect that the less the malt-spirit is drank, the greater quantity of beer and ale will be consumed, and the produce of the duties and excise upon the brewery be augmented accordingly.

Petition
by the
justices of
Norfolk.

In the mean time, all sorts of grain continuing to fall in price, and great plenty appearing in every part of the kingdom, the justices of the peace, and of the grand juries assembled at the general quarter sessions of the peace held for the county of Norfolk, composed and presented to the house of commons, in the beginning of February, a petition, representing, that the weather proving unfavourable in the harvest, great part of the barley raised in that county was much damaged, and rendered unfit for any other use than that of being made into malt for exportation ; that, unless it should be speedily manufactured for that purpose, it would be intirely spoiled, and perish in the hands of the growers, a loss that must be very sensibly felt by the land owners ; they therefore intreated, that leave might be given for the exportation of malt ; and that they might be favoured with such farther relief, as to the house should seem just and reasonable. In consequence of this petition, the house resolved itself into a committee, to deliberate upon the subject ; and as it appeared, upon examination, that the price of grain was reduced very low, and great abundance diffused through the kingdom, they resolved, that the continuance of that

part

An. 1759.

part of the act prohibiting the exportation of grain, ought to be abridged and shortened, and the exportation of these commodities allowed under proper regulations, with respect to the time of such exportation, and the allowance of bounties thereupon. A bill, being founded on these resolutions, was discussed, and underwent several amendments: at length, it was sent with a new title to the lords, who passed it without further alteration, and then it obtained the royal sanction.

The price of corn, however, in the London-market ought not alone to determine the deliberations of the legislature on this important article. The eastern counties, containing more arable land than is to be found in the western provinces, can easily supply the markets of the metropolis by sea-carriage; whereas the dealers of that part of the kingdom will rather export their corn to Holland, even without a bounty, than convey it to any western port in England, because the navigation to Holland being shorter, and less dangerous, the freight and insurance will be defrayed at a small expence. This being the case, the London-market is often over-stocked with grain, when the western counties labour under a real scarcity. In order to remedy and remove this inconvenience, a law might be enacted, prohibiting the exportation of corn, except when the market-price throughout England remains at or under a certain standard or established rate, and determining this rate by the medium price at which corn shall have been sold for three market-days, at the chief weekly markets in two or three of the midland western counties, where all sorts of corn have for some years borne

Remarks
on the
price of
corn.

Ans. 1759. the highest price. This expedient would oblige the dealers in corn, residing in the eastern divisions, to convey their grain to the western ports rather than to Holland, notwithstanding the greater expence of the transportation, that the price of corn in those midland counties should not rise so high as to put a stop to the payment of the bounty, or the liberty of exporting. The expediency of some such regulation the reader will easily conceive, when he is informed, that about the time when this bill was ordered to be brought in, the best wheat was sold at two shillings per bushel in the county of Norfolk; whereas the same commodity was sold at that very period for three times the price in some parts of Wiltshire. It may so happen, that the best sort of wheat shall sell in some midland western counties at twelve shillings per bushel, and all other sorts of grain dearer in proportion; while, at the same time, the same kind of wheat shall be sold for four shillings in Norfolk, and all other sorts of grain proportionably cheap. In such a case, it would be extremely absurd to permit an exportation from any port in the kingdom; and much more ridiculous still to encourage the exportation, by a bounty, from the ports of Norfolk; yet this case may happen, according to the law as it stands at present.

Bill for
the im-
portation
of salted
beef, &c.
from Ire-
land, con-
tinued.

While this affair was under the deliberation of the committee, the commons unanimously issued an order for leave to bring in a bill to continue, for a limited time, the act of last session, permitting the importation of salted beef from Ireland into Great Britain, with an instruction to receive a clause extending this permission to all sorts of salted pork,

An. 1759.

pork, or hog meat, as the officers of the custom-house had refused to admit hams from Ireland to an entry. The bill likewise received another considerable alteration, importing, That, instead of the duty of one shilling and three-pence, charged by the former act on every hundred weight of salted beef or pork imported from Ireland, which was found not adequate to the duty payable for such a quantity of salt as is requisite to be used in curing and salting thereof; and to prevent as well the expence to the revenue, as the detriment and loss which would accrue to the owner and importer, from opening the casks in which the provision is generally deposited, with the pickle or brine proper for preserving the same, in order to ascertain the net weight of the provision liable to the said duties; — for these reasons it was enacted, That from and after the twenty fourth day of last December, and during the continuance of this act, a duty of three shillings and four-pence should be paid upon importation for every barrel or cask of salted beef or pork containing thirty-two gallons; and one shilling and three-pence for every hundred weight of salted beef, called dried beef, dried neats tongues, or dried hog-meat, and so in proportion for any greater or lesser quantity. From this clause it appears, the burthen which the navigation of Great Britain incurs by the duty of salt alone is computed to amount to thirteen per centum, on those articles of commerce in which it is used; consequently the freight of all ships victualled in this kingdom must be proportionably increased: therefore it is not at all surprising, that the trade to Hamburgh, and other ports, should be carried on in foreign ships,

as

An. 1759. as far as the act of navigation will allow.—
 Repeated complaints having been made to the government by neutral nations, especially the Dutch, that their ships had been plundered, and their crews maltreated, by some of the English privateers, the legislature resolved to provide effectually against any such outrageous practices for the future; and with this view the commons ordered a bill to be brought in, for amending and explaining an act of the twenty-ninth year of his present majesty's reign, intituled, an act for the encouragement of seamen, and more speedy and effectual manning of his majesty's navy.

Regulations with respect to privateers—

While the committee was employed in perusing commissions and papers relating to private ships of war, that they might be fully acquainted with the nature of the subject, a considerable number of merchants and others inhabiting the islands of Guernsey and Jersey, presented a petition to the house, alledging that the inhabitants of those islands which lie in the British channel within sight of the French coast, had now, as well as in former wars, embarked their fortunes in equipping small privateers, which used to run in close with the French shore, and being disguised like fishing-boats, had not only taken a considerable number of prizes, to the great annoyance of the enemy, but also obtained material intelligence of their designs, on many important occasions; that these services could not be performed by large vessels, which durst not approach so near the coast, and indeed could not appear without giving the alarm, which was communicated from place to place by appointed signals. Being informed that a bill was depend-

An. 1759.

ing, in order to prohibit privateers of small burthen, they declared that such a law, if extended to privateers equipped in those islands, would ruin such as had invested their fortunes in small privateers; and not only deprive the kingdom of the before-mentioned advantages, but expose Great Britain to infinite prejudice from the small armed vessels of France, which the enemy in that case would pour abroad over the whole channel, to the great annoyance of navigation and commerce. They prayed therefore that such privateers as belonged to the islands of Guernsey and Jersey might be wholly excepted from the penalties contained in the bill, or that they (the petitioners) might be heard by their counsel, and be indulged with such relief as the house should judge expedient. This representation being referred to the consideration of the committee, produced divers amendments to the bill, which, at length, obtained the royal assent, and contained these regulations: that, after the first day of January in the present year, no commission should be granted to a privateer in Europe under the burden of one hundred tons, the force of ten carriage guns, being three pounders or above, with forty men at the least, unless the lords of the admiralty, or persons authorised by them, should think fit to grant the same to any ship of inferior force or burthen, the owners thereof giving such bail or security as should be prescribed: that the lords of the admiralty might at any time revoke, by an order in writing under their hands, any commission granted to a privateer; this revocation being subject to an appeal to his majesty in council, whose determination should be final: that,

An. 1759. that, previous to the granting any commission, the persons proposing to be bound, and give security, should severally make oath of their being respectively worth more money than the sum for which they were then to be bound, over and above the payment of all their just debts: that persons applying for such commissions should make application in writing, and therein set forth a particular and exact description of the vessel, specifying the burthen, and the number and nature of the guns on board, to what place belonging, as well as the name or names of the principal owner or owners, and the number of men: these particulars to be inserted in the commission, and every commander to produce such commission to the custom-house officer, who should examine the vessel, and, finding her answer the description, give a certificate thereof gratis, to be deemed a necessary clearance, without which the commander should not depart: that if, after the first day of June, any captain of a privateer should agree for the ransom of any neutral vessel, or the cargo, or any part thereof, after it should have been taken as prize, and in pursuance of such agreement should actually discharge such prize, he should be deemed guilty of piracy; but that, with respect to contraband merchandize, he might take it on board his own ship, with the consent of the commander of the neutral vessel, and then set her at liberty; and that no person should purloin or embezzle the said merchandize before condemnation: that no judge, or other person belonging to any court of admiralty, should be concerned in any privateer: that owners of vessels, not being under fifty, or above one hundred tons, whose

whose commissions are declared void, should be indemnified for their loss by the public: that a court of oyer and terminer, and gaol delivery, for the tryal of offences committed within the jurisdiction of the admiralty, should be held twice a year in the Old Bailey at London, or in such other place within England as the board of admiralty should appoint: that the judge of any court of admiralty, after an appeal interposed as well as before, should, at the request of the captor or claimant, issue an order for appraising the capture, when the parties do not agree upon the value, and an inventory to be taken; then exact security for the full value, and cause the capture to be delivered to the person giving such security: but should objection be made to the taking such security, the judge should, at the request of either party, order such merchandize to be entered, landed, and sold at public auction, and the produce be deposited at the Bank, or in some public securities; and in case of security being given, the judge should grant a pass in favour of the capture. Finally, the force of this act was limited to the duration of the present war with France only.

This regulation very clearly demonstrated, that whatever violences might have been committed on the ships of neutral nations, they were by no means countenanced by the legislature, or the body of the people.

Every circumstance relating to the reformation of the marine must be an important object, to a nation whose wealth and power depend upon navigation and commerce; but a consideration of equal weight was the establishment of the militia, which,

not-

New laws
relating
to the mi-
litia.

An. 1759. notwithstanding the repeated endeavours of the parliament, was found still incompleat, and in want of further assistance from the legislature. His majesty having, by the chancellor of the Exchequer, recommended to the house the making suitable provision for defraying the charges of the militia during the current year, the accounts of the expence already incurred by this establishment were referred to the committee of supply, who, after having duly perused them, resolved, that ninety thousand pounds should be granted on accompt, towards defraying the charges of pay and cloathing for the militia, from the last day of the last year to the twenty-fifth day of March in the year one thousand seven hundred and sixty, and for repaying a sum advanced by the king for this service. Leave was given to bring in one bill pursuant to this resolution; and another to enforce the execution of the laws relating to the militia, remove certain difficulties, and prevent the inconveniences, by which it might be attended. So intent were the majority on both sides upon this national measure, that they not only carried both bills to the throne, where they received the royal assent; but they presented an address to the king, desiring his majesty would give directions to his lieutenants of the several counties, ridings, and places in England, to use their utmost diligence and attention for carrying into execution the several acts of parliament relating to the militia.

By this time all the individuals that constituted the representatives of the people, except such as actually served in the army, were become very well disposed towards this institution. Those who
really

really wished well to their country, had always exerted themselves in its favour: and it was now likewise espoused by those who foresaw that the establishment of a national militia would enable the a——n to send the greater number of regular troops to fight the battles of G——y. Yet how zealous soever the legislature might be in promoting this institution, and notwithstanding the success with which many patriots exerted their endeavours through different parts of the kingdom in raising and disciplining the militia, it was found not only difficult, but almost impracticable to execute the intention of the parliament in some particular counties, where the gentlemen were indolent and enervated, or in those places where they looked upon their commander with contempt. Even Middlesex itself, where the king resides, was one of the last counties in which the militia could be arrayed. In allusion to this backwardness, the preamble or first clause in one of the present acts, imported that certain counties, ridings, and places in England, had made some progress in establishing the militia without compleating the same; and that in certain other counties little progress had been made therein, his majesty's lieutenants and the deputy-lieutenants, and all others within such counties or districts, were therefore strictly required speedily and diligently to put these acts in execution. The truth is, some of these unwarlike commanders failed through ignorance and inactivity; others gave or offered commissions to such people as threw a ridicule and contempt upon the whole establishment, and consequently hindered many gentlemen of worth, spirit, and capacity, from engaging in the service. The

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The mutiny-bill, and that for the regulation of the marine-forces while on shore, passed through the usual forms, as annual measures, without any dispute or alteration.

Bill concerning
post-fines.

The next bill that fell under the cognizance of the house related to a law-transaction, and was suggested by a petition presented in the name of the sheriffs, and grantees of post fines under the crown in England. They enumerated and explained the difficulties under which they laboured, in raising and collecting these fines within their respective counties; particularly when the estate conveyed by fine, was no more than a right of reversion, in which case they could not possibly levy the post-fine, unless the purchaser should obtain possession within the term of the sheriffalty, or pay it of his own free will, as they could not distrain while the lands were in the possession of the donee. They therefore proposed a method for raising these post-fines by a proper officer, to be appointed for that purpose; and prayed, that leave might be given to bring in a bill accordingly. This petition was seconded by a message from the king, importing, that his majesty, as far as his interest was concerned, gave his consent that the house might act in this affair as they should think proper. The commons, in a committee of the whole house, having taken into consideration the merits of the petition, formed several resolutions; upon which a bill was founded for the more regular and easy collecting, accounting for, and paying of post-fines, which should be due to the crown, or to the grantees thereof under the crown, and for the ease of sheriffs in respect to the

the same. Before it passed into a law, however, it was opposed by a petition in favour of one William Daw, a lunatic, clerk of the king's silver-office, alledging; that, should the bill pass, it would deprive the said Daw and his successors of an ancient fee belonging to his office, on searches made for post-fines by the under-sheriffs of the several counties; therefore praying, that such provision might be made for the said lunatic as to the house should seem just and reasonable. This and divers other petitions, respecting the bill, being discussed in the committee, it underwent several amendments, and was enacted into a law; the particulars of which cannot be properly understood; without a previous explanation of this method of conveying estates: a subject obscure in itself, founded upon a seeming subterfuge of law, scarce reconcileable with the common dictates of common sense, and consequently improper for the pen of an historian.

A committee having been appointed to enquire what laws were expired, or near expiring, and to report their opinion to the house touching the revival or continuation of these laws, they agreed to several resolutions; in consequence of which the following bills were brought in, and enacted into laws, namely, an act for regulating the lastage and ballastage of the river Thames; an act for continuing the law relating to the punishment of persons going armed or disguised; an act for continuing several laws near expiring; an act concerning the admeasure-ment of coals; and an act for the relief of debtors, with respect to the imprisonment of their persons. This last was almost totally metamorphosed by alterations, amendments, and additions, among which the most remarkable were these: that where more

Continu-
ation and
revival of
certain
laws.

An. 1759. creditors than one shall charge any prisoner in execution, and desire to have him detained in prison, they shall only respectively pay him each such weekly sum, not exceeding one shilling and sixpence a week, as the court, at the time of his being remanded, shall direct: that if any prisoner, described by the act, shall remain in prison three months, after being committed, any creditor may compel him to give into court, upon oath, an account of his real and personal estate, to be disposed of for the benefit of his creditors, they consenting to his being discharged. Why the humanity of this law was confined to those prisoners only, who are not charged in execution with any debt exceeding one hundred pounds, cannot easily be conceived. A man, who through unavoidable misfortunes, hath sunk from affluence to misery and indigence, is generally a greater object of compassion than he who never knew the delicacies of life, nor ever enjoyed credit sufficient to contract debts to any considerable amount: yet the latter is by this law intitled to his discharge, or at least to a maintenance in prison; while the former is left to starve in goal, or undergo perpetual imprisonment amidst all the horrors of misery, if he owes above one hundred pound to a revengeful and unrelenting creditor. Wherefore, in a country, the people of which justly pique themselves upon charity and benevolence, an unhappy fellow-citizen, reduced to a state of bankruptcy by unforeseen losses in trade, should be subjected to a punishment, which, of all others, must be the most grievous to a free-born Briton, namely, the entire loss of liberty; a punishment which the most flagrant crime can hardly

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ly deserve, in a nation that disclaims the torture ; for, doubtless, perpetual imprisonment must be a torture infinitely more severe than death, because protracted through a series of years spent in misery and despair, without one glimmering ray of hope, without the most distant prospect of deliverance ? Wherefore the legislature should extend its humanity to those only who are the least sensible of the benefit, because the most able to struggle under misfortune ? And wherefore many valuable individuals should, for no guilt of their own, be not only ruined to themselves, but lost to the community ? are questions which we cannot resolve to the satisfaction of the reader. Of all imprisoned debtors, those who are confined for large sums may be deemed the most wretched and forlorn, because they have generally fallen from a sphere of life where they had little acquaintance with necessity, and were altogether ignorant of the arts by which the severities of indigence are alleviated. On the other hand, those of the lower class of mankind, whose debts are small in proportion to the narrowness of their former credit, have not the same delicate feelings of calamity. They are inured to hardship, and accustomed to the labour of their hands, by which, even in a prison, they can earn a subsistence. Their reverse of fortune is not so great, nor the transition so affecting. Their sensations are not delicate ; nor are they, like their betters in misfortune, cut off from hope, which is the wretch's last comfort. It is the man of sentiment and sensibility who, in this situation, is overwhelmed with a complication of misery and ineffable distress. The mortification of his pride, his ambi-

An. 1759. tion blasted, his family undone, himself deprived of liberty, reduced from opulence to extreme want, from the elegancies of life to the most squalid and frightful scenes of poverty and affliction; divested of comfort, destitute of hope, and doomed to linger out a wretched being in the midst of insult, violence, riot, and uproar: these are reflections so replete with horror, as to render him, in all respects, the most miserable object on the face of the earth. He, alas! though possessed of talents that might have essentially served, and even adorned society, while thus restrained in prison, and affected in mind, can exert no faculty, nor stoop to any condescension, by which the horrors of his fate might be asswaged. He scorns to execute the lowest offices of menial service, particularly in attending those who are the objects of contempt or abhorrence: he is incapable of exercising any mechanic art, which might afford a happy though a scanty independence. Shrunk within his dismal cell, surrounded by haggard poverty, and her gaunt attendants, hollow-eyed Famine, shivering Cold, and wan Disease, he wildly casts his eyes around: he sees the tender partner of his heart weeping in silent woe; he hears his helpless babes clamorous for sustenance: he feels himself the importunate cravings of human nature, which he cannot satisfy; and groans with all the complicated pangs of internal anguish, horror, and despair. These are not the fictions of idle fancy; but real pictures, drawn from nature, of which almost every prison in England will afford but too many originals: and it would well become a prince, whose distinguishing characteristic is humanity, with a parliament famed for

for patriotism, to stretch out the pitying hand of the legislature for the deliverance and preservation of such distressful objects. An. 1759.

Among other new measures, a successful attempt was made in favour of Ireland, by a bill, permitting the free importation of cattle from that kingdom for a limited time. This, however, was not carried through both houses without considerable opposition, arising from the particular interest of certain counties and districts in several parts of Great-Britain, from whence petitions against the bill were transmitted to the commons. Divers artifices were also used within doors to saddle the bill with such clauses as might overcharge the scheme, and render it odious or alarming to the public: but the promoters of it, being aware of the design, conducted it in such a manner as to frustrate all their views, and convey it safely to the throne, where it was enacted into a law.

Bills for the importation of Irish beef and tallow.

The like success attended another effort in behalf of our fellow-subjects of Ireland. The bill for the importation of Irish cattle was no sooner ordered to be brought in, than the house proceeded to take into consideration the duties then payable on the importation of tallow from the same kingdom; and several witnesses being examined, the committee agreed to a resolution, that these duties should cease and determine for a limited time. A bill being formed accordingly, passed through both houses without opposition; though in the preceding session a bill to the same purpose had miscarried among the peers: a miscarriage probably owing to their being unacquainted with the sentiments of his majesty, as some of the duties upon

An. 1759. tallow constituted part of one of the branches appropriated for the civil list revenue. This objection, however, was obviated in the case of the present bill, by the king's message to the house of commons, signifying his majesty's consent, as far as his interest was concerned in the affair. By this new act the free importation of Irish tallow was permitted for the term of five years, before the expiration of which, the law, it is to be hoped, will be made perpetual. Indeed, it is not a little surprising that the importation of this commodity, from one part of the British dominions to another, should have been ever encumbered with a duty equal to a prohibition, considering what a necessary article it is in so many manufactures and mechanical employments.

Act relating to
Milford-haven.

In the month of February the commons presented an address to his majesty, requesting that he would give directions for laying before the house an account of what had been done, since the beginning of last year, towards securing the harbour of Milford, in pursuance of any directions from his majesty. These accounts being perused, and the king having, by the chancellor of the Exchequer, exhorted them to make provision for fortifying the said harbour, a bill was brought in to explain, amend, and render more effectual, the act of the last session relating to this subject; and, passing through both houses, received the royal assent, without opposition. By this act several engineers were added to the commissioners formerly appointed; and it was ordained, that fortifications should be erected at Peter-church-point, West-lanyon-point, and Neyland point, as being the most proper

proper and best situated places for fortifying the interior parts of the harbour. It was also enacted, that the commissioners should appoint proper secretaries, clerks, assistants, and other officers, for carrying the two acts into execution; and that an account of the application of the money should be laid before the parliament, within twenty days of the opening of every session.

What next attracted the attention of the house, was an affair of the utmost importance to the commerce of the kingdom, which equally affected the interest of the nation, and the character of the natives. In the latter end of February complaint was made to the house, that, since the commencement of the war, an infamous traffick had been set on foot, by some merchants of London, of importing French cloths into several ports of the Levant, on account of British subjects. Five persons were summoned to attend the house; and the fact was fully proved, not only by their evidence, but also by some papers submitted to the house by the Turkey company. A bill was immediately contrived for putting a stop to this scandalous practice, reciting in the preamble, that such traffick was not only a manifest discouragement and prejudice to the woollen manufactures of Great-Britain, but also a relief to the enemy, in consequence of which they were enabled to maintain the war against these kingdoms.

Bill restraining the importation of French cloths into the ports of the Levant.

By this law it was enacted, That no woollen goods of the manufacture of France, should, directly or indirectly, be imported into any port of the Levant, within the limits prescribed in the charter of the Turkey company, by or on the account of any member of the said company, or any subject of

An. 1759. Great-Britain ; not should any woollen goods of the British manufacture be imported within the limits of that charter, except directly from Great-Britain, by or on account of any British subject, unless the importer should produce to his majesty's ambassador, or vice-consul, or other proper officer appointed by the Levant company, at the place where such goods should be imported, a certificate, upon oath, from the exporter or shipper at the last place of exportation, that the same were brought or received from Great Britain ; which certificate should be attested by the British consul, or person acting as consul in his absence, residing at such last loading port ; and the shipper should also procure the bill of lading, made out upon shipping the said goods from Great-Britain ; and the consul should take notice in the attestation of the certificate, that the bill of lading was produced. It was moreover enacted, that all woollen goods imported, within the limits of the Levant company's charter, by or on account of any British subject, other than such as should be imported directly from Great-Britain, should be deemed French property within the meaning of the act ; and his majesty's ambassador, consul, or vice-consul, or other proper officer appointed by the Levant company, were required to cause the said merchandize to be seized and confiscated. Other clauses implied that the exporter of merchandize from Turkey, and the importer of them into Britain or Ireland, should make oath that no part of it was to their knowledge purchased with the produce, or taken in barter or exchange, for any kind of French woollen manufacture, except such as had been condemned as lawful prize : that in case the certificate should be lost or mislaid, the exportation

tion to Turkey of goods taken from the enemy, An. 1759.
 and condemned as legal prize, should be permitted,
 on producing a copy of the sentence pronounced
 and signed by the judge, who condemned the said
 merchandize: that whoever might seize any raw
 silk, or mohair-yarn, as being unlawfully imported,
 should not release or abandon the same, or delay
 proceeding to judgment, without acquainting the
 Turkey company in writing of his intentions, and
 delivering a copy of the schedule of such seizure;
 and that if they should, within seven days, give or
 offer to give bond in the penal sum of one thousand
 pounds, conditioned to indemnify him against all
 costs and charges, in case the ship or cargo should
 not be declared forfeited, then such officer should,
 with all convenient speed, proceed to judgment,
 concerning the legality of the seizure. But the
 force of this regulation was limited to the dura-
 tion of the present war with France.

It is surprising that no member from North-Bri-
 tain made any opposition to the clause enacting that
 all woollen goods imported into Turkey by British
 subjects, without a certificate, except those im-
 ported directly from England, should be deemed
 French commodity, as it precludes all merchants
 in Scotland from the benefit of this trade, although
 they are capable of being members of the Turkey
 company. The article restricting the importation
 of raw silk and mohair-yarn is still more unaccount-
 able, as it may easily be demonstrated that it would
 be for the interest of Great-Britain to allow a free
 importation of these commodities from every part
 of the world. These are materials which may be
 highly improved in their value by the manufac-
 turers of Great-Britain, and this manufacture sup-
 ports

Remarks
 upon this
 law.

An. 1759. ports a number of poor people, who are unfit for any other sort of labour or industry. If the Turkey merchant who buys them at the first hand, and imports them directly from that country, does not sell them cheaper in England than they can be afforded by the Italian merchant, who buys them at second hand, certain it is the former insists upon too high a profit, which he is enabled to exact, by the restraint which the legislature hath laid upon the latter.

Bill relating to the duty upon pensions.

The next object that employed the attention of the commons was to explain and amend a law made in the last session for granting to his majesty several rates and duties upon offices and pensions. The directions specified in the former act for levying this imposition having been found inconvenient in many respects, new regulations were now established, importing that those deductions should be paid into the hands of receivers appointed by the king for that purpose; that all sums deducted under this act should be accounted for to such receivers, and the accounts audited and passed by them, and not by the auditors of the imprests, or of the Exchequer; that all disputes relating to the collection of this duty should be finally, and in a summary way, determined by the barons of the Exchequer in England and Scotland respectively; that the commissioners of the land-tax should fix and ascertain the sum total or amount of the perquisites of every office and employment within their respective districts, distinct from the salary thereunto belonging, to be deducted under the said act, independently of any former valuation or assessment of the same to the land-tax; and should rate or assess all offices and employments whereof the

An. 1759.

the perquisites should be found to exceed the sum of one hundred pounds per annum, at one shilling for every twenty thence arising; that the receivers should transmit to the commissioners in every district where any office or employment is to be assessed, an account of such offices and employments, that, upon being certified of the truth of their amount, they might be rated and assessed accordingly; that in all future assessments of the land-tax the said offices and employments should not be valued at higher rates than those at which they were assessed towards the land-tax of the thirty-first year of the present reign; that the word perquisites should be understood to mean such profits of offices and employments as arise from fees established by custom or authority, and payable either by the crown or the subjects, in consideration of business done in the course of executing such offices and employments; and that a commissioner possessed of any office or employment might not interfere in the execution of the said act, except in what might relate to his own employment. By the four last clauses several salaries are exempted from the payment of this duty.

The objections made without doors to this new law were the accession of pecuniary influence to the crown, by the creation of a new office and officers; whereas this duty might have been easily collected and received by the commissioners of the land-tax already appointed, and the inconsistency that appeared between the fifth and seventh clauses; in the former of these, the commissioners of the land-tax were vested with the power of assessing the perquisites of every office within their respective districts,

An. 1759. tricts, independent of any former valuation or assessment of the same to the land-tax; and by the latter, they are restricted from assessing any office at a higher rate than that of the thirty-first year of the present reign.

An relat-
ing to the
duty upon
plate.

In the beginning of March petitions were offered to the house by the merchants of Birmingham in Warwickshire and Sheffield in Yorkshire, specifying that the toy trade of these and many other towns consisted generally of articles in which gold and silver might be said to be manufactured, though in small proportion, inasmuch as the sale of them depended upon slight ornaments of gold and silver: that by a clause passed in the last session of parliament, obliging every person who should sell goods or wares in which any gold or silver was manufactured, to take out an annual licence of forty shillings, they the petitioners were laid under great difficulties and disadvantages: that not only the first seller, but every person through whose hands the goods or wares passed to the consumer, was required to take out the said licence; they therefore requested, that the house would take these hardships and inequalities into consideration, and indulge them with reasonable relief.

The committee, to which this affair was referred, having resolved, that this imposition was found detrimental to the toy and cutlery trade of the kingdom, the house agreed to the resolution; and a bill being prepared, under the title of "An act to amend the act, made in the last session, for repealing the duty granted by an act of the sixth year in the reign of his late majesty on silver plate, and for granting a duty on licences to be taken out by

by all persons dealing in gold and silver plate," An. 1759. was enacted into a law by the royal sanction. By this new regulation, small quantities of gold and silver plate were allowed to be sold without licence. Instead of the duty before payable upon licences, another was granted to be taken out by certain dealers in gold and silver plate, pawnbrokers, and refiners.

Though the purpose of the legislature in passing this new act was to favour the manufacturer of cutlery-ware and toys, it will hardly exempt any of the traders from the expence of a licence; to which, in all probability, they will rather submit, than be restricted in the nature of their dealings, or run the risque of having disputes and law-suits with excisemen, to be determined by the commissioners of the excise, or annually by the commissioners of appeal.

This affair being discussed, the house took into consideration the claims of the proprietors of lands, purchased for the better securing of his majesty's docks, ships, and stores at Chatham, Portsmouth, and Plymouth; and for better fortifying the town of Portsmouth and citadel of Plymouth, in pursuance of an act passed in the last session. We have already specified the sum granted for this purpose, in consequence of a resolution of the house, upon which a bill being founded, soon passed into a law, without opposition.

The next bill, which was brought into the house, related to the summons issued by the commissioners of the excise, and justices of the peace, for the appearance of persons offending against, or for forfeitures incurred by the laws of excise. As some

Law re-
garding
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commis-
sioners of
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cise,

doubts

An. 1759.

doubts had arisen with respect to the method of summoning in such cases, this bill, which obtained the royal assent in due course, enacted, that summons left at the house, or usual place of residence, or with the wife, child, or menial servants of the person so summoned, should be held as legal notice, as well as the leaving such notice at the house, workhouse, warehouse, shop, cellar, vault, or usual place of residence of such person, directed to him by his right or assumed name; and all dealers in coffee, tea, or chocolate, were subjected to the penalty of twenty pounds as often as they should neglect to attend the commissioners of excise, when summoned in this manner. This unnecessary rigour of the law enables the officers of the excise to oppress their fellow-subjects with impunity. A summoning officer, at enmity with any dealer, may leave the summons in some private part of his house or warehouse, and afterwards convey it away, without the knowledge of the trader, who may never receive the least intimation of his having been summoned, until an execution is brought into his house for the penalty.

Cambrick
act.

In the month of April, a bill was brought in for the more effectual preventing the fraudulent importation of cambricks; and while it was under deliberation, several merchants and wholesale drapers of the city of London presented a petition, representing the grievances to which they and many thousands of other traders would be subjected, should the bill, as it then stood, be passed into a law. According to their request, they were heard by their counsel on the merits of this remonstrance, and some amendments were made to the bill in
their

their favour. At length it received the royal assent, and became a law to the following effect: It enacted, That no cambricks, French lawns, or linens of this kind, usually entered under the denomination of cambricks, should be imported after the first day of next August, but in bales, cases, or boxes, covered with sackcloth or canvas, containing each one hundred whole pieces, or two hundred half pieces, on penalty of forfeiting the whole: that cambricks and French lawns should be imported for exportation only, lodged in the king's warehouse, and delivered out under like security and restrictions as prohibited East India merchandize; and, on importation, pay only the half subsidy: that all cambricks and French lawns in the custody of any persons should be deposited, by the first of August, in the king's warehouses, the bonds thereupon be delivered up, and the drawback on exportation paid; yet the goods should not be delivered out again but for exportation: that cambricks and French lawns exposed to sale, or found in possession of private persons, after the said day, should be forfeited, and liable to be searched for, and seized, in like manner as other prohibited and uncustomed goods are; and the offender should forfeit two hundred pounds, over and above all other penalties and forfeitures inflicted by any former act; that if any doubt should arise concerning the species or quality of the goods, or the place where they were manufactured, the proof should lie on the owner: finally, that the penalty of five pounds inflicted by a former act, and payable to the informer, on any person that should wear any cambrick or French lawns, should still remain

An. 1759. remain in force, and be recoverable, on conviction, by oath of one witness, before one justice of the peace. This rigorous law may be attended with some inconvenience, and even prove ineffectual in excluding the French manufactures, inasmuch as the fabrick of such Dutch and German lawns resembles that of the French manufacture so nearly, that it is sometimes impossible to distinguish the one from the other. The only method by which they were formerly distinguished, was the different manner of marking and package. But the French manufacturer can easily counterfeit the manner of the Dutch or Germans in these particulars, and then send his goods to some place in Holland and Flanders, from whence they may be imported into England, as the fabrick of these countries. Perhaps the most effectual expedient for preventing the importation of French cambricks would be the granting a proper bounty on all home-made cambricks and lawns, payable on sight of a certificate from an excise-man and two parish-officers who had seen the pieces, and measured them before they were cut from the loom.

The last successful bill which this session produced, was that relating to the augmentation of the salaries of the judges in his majesty's superior courts of justice. A motion having been made for an instruction to the committee of supply, to consider of the said augmentation, the chancellor of the Exchequer acquainted the house that this augmentation was recommended to them by his majesty. Nevertheless, the motion was opposed, and a warm debate ensued. At length, however, being

being carried in the affirmative, the committee An. 1759. agreed to certain resolutions, on which a bill was founded. While it remained under discussion, a motion was made for an instruction to the committee, that they should have power to receive a clause or clauses for restraining the judges, comprehended within the provisions of the bill, from receiving any fee, gift, present, or entertainment, from any city, town, borough, or corporation, or from any sheriff, gaoler, or other officer, upon the several respective circuits, and from taking any gratuity from any office or officer of any of the courts of law. Another motion was made for a clause restraining such judges, barons, and justices as were comprehended within the provisions of the bill, from interfering, otherwise than by giving their own votes, in any election of members to serve in parliament; but both these proposals, being put to the vote, were carried in the negative. These two motions being over-ruled by the majority, the bill underwent some amendments; and, having passed through both houses in the ordinary course, was enacted into a law by the royal sanction. With respect to the import of this act, it is no other than the establishment of the several stamp-duties, applied to the augmentation; and the appropriation of their produce in such a manner, that the crown cannot alter the application of the sums thus granted in parliament. But, on this occasion, no attempt was made in favour of the independency of the judges, which seems to have been invaded by a late interpretation of, or rather by a deviation from, the act of settlement: in which it is expressly ordained, that the commissions of the

An. 1759. judges should continue in force *quamdiu se bene gesserint* ; that their salaries should be fixed, and none of them removeable but by an address of both houses of parliament. It was then, without all doubt, the intention of the legislature, that every judge should enjoy his office during life, unless convicted by legal trial of some misbehaviour, or unless both houses of parliament should concur in desiring his removal : but the doctrine now adopted imports, that no commission can continue in force longer than the life of the king by whom it was granted ; that therefore the commissions of the judges must be renewed by a new king at his accession, who should have it in his power to employ either those whom he finds acting as judges at his accession, or confer their offices on others, with no other restraint than that the condition of the new commissions should be *quamdiu se bene gesserint*. Thus the office of a judge is rendered more precarious, and the influence of the crown receives a considerable reinforcement.

Unsuccessful
bill concerning
methods
for man-
ning the
navy.

Among the bills that miscarried in the course of this session, we may number a second attempt to carry into execution the scheme which was offered last year for the more effectual manning the navy, preventing desertion, and relieving and encouraging the seamen of Great Britain. A bill was accordingly brought in, couched in nearly the same terms which had been rejected in the last session ; and it was supported by a considerable number of members, animated with a true spirit of patriotism : but to the trading part of the nation it appeared one of those plausible projects, which, though agreeable in speculation, can never be reduced into prac-

An. 1759.

practice without a concomitancy of greater evils than those they were intended to remove. While the bill remained under the consideration of the house, petitions were presented against it by the merchants of Bristol, Scarborough, Whitby, Kingston upon Hull, and Lancaster, representing, That, by such a law, the trade of the kingdom, which is the nursery and support of seamen at all times, and that spirit of equipping private ships of war, which had been of distinguished service to the nation, would be laid under such difficulties as might cause a great stagnation in the former, and a total suppression of the latter; the bill therefore would be highly prejudicial to the marine of the kingdom, and altogether ineffectual for the purposes intended. A great number of books and papers, relating to trading ships and vessels, as well as to seamen, and other persons protected or pressed into the navy, and to expences occasioned by pressing men into the navy, were examined in a committee of the whole house, and the bill was improved with many amendments: nay, after it was printed and engrossed, several clauses were added by way of ryder: yet still the experiment seemed dangerous. The motion for its being passed was violently opposed; warm debates ensued; they were adjourned, and resumed; and the arguments against the bill appeared at length in such a striking light, that, when the question was put, the majority declared for the negative.

The regulations which had been made in parliament during the twenty-sixth, the twenty-eighth, and thirtieth years of the present reign, for the preservation of the public roads, being attended with

An. 1759.

Miscarriage of a bill relating to waggons and carriages.

some inconveniences in certain parts of the kingdom, petitions were brought from some counties in Wales, as well as from the freeholders of Herefordshire, the farmers of Middlesex, and others, enumerating the difficulties attending the use of broad wheels in one case, and the limitation of horses used in drawing carriages with narrow wheels in the other. The matter of these remonstrances was considered in a committee of the whole house, which resolved, that the weight to be carried by all waggons and carts travelling on the turnpike roads should be limited. On this resolution a bill was framed for amending and reducing into one act of parliament the three acts before-mentioned, for the preservation of the public highways: but some objections being started, and a petition interposed by the land owners of Suffolk and Norfolk, alledging, that the bill, if passed into a law, would render it impossible to bring fresh provisions from those counties to London, as the supply depended absolutely upon the quickness of conveyance; the further consideration of it was postponed to a longer day, and never resumed in the sequel: so that the attempt miscarried.

Case of the insolvent debtors.

Of all the subjects which, in the course of this session, fell under the cognizance of parliament, there was none that more interested the humanity or challenged the redress of the legislature, than did the case of the poor insolvent debtors, who languished under all the miseries of indigence and imprisonment. In the month of February a petition was offered to the commons in behalf of bankrupts, who represented, That having scrupulously conformed to the laws made concerning bankruptcy,

ruptcy, by surrendering their all upon oath for the benefit of their creditors, they had nevertheless been refused their certificates, without any probability of relief; that, by this cruel refusal, many bankrupts had been obliged to abscond, while others were immured in prison, and these unhappy sufferers groaning under the particular hardship of being excluded from the benefit of laws occasionally made for the relief of insolvent debtors; that the power vested in creditors of refusing certificates to their bankrupts, was, as the petitioners conceived, founded upon a presumption that such power would be tenderly exercised, and never but in notorious cases; but the great increase in the number of bankrupts, within two years past, and the small proportion of those who had been able to obtain their certificates, seemed to demonstrate, that the power had been used for cruel and unjust purposes, contrary to the intention of the legislature: that as the greater part of the petitioners, and their fellow-sufferers, must inevitably and speedily perish, with their distressed families, unless seasonably relieved by the interposition of parliament, they implored the compassion of the house, from which they hoped immediate favour and relief. This petition was accompanied with a printed case, explaining the nature of the laws relating to bankrupts, and pointing out their defects in point of policy as well as humanity; but little regard was seemingly payed to either remonstrance. Other petitions, however, being presented by insolvent debtors, imprisoned in different gaols within the kingdom, leave was given to bring in a bill for

An. 1759. their relief, and a committee appointed to examine the laws relating to bankruptcy.

Cafe of
captain
Walker.

Among other petitionary remonstrances on this subject, the members were separately presented with a printed case of captain George Walker, a prisoner in the gaol of the King's Bench, who had been declared a bankrupt, and complained, that he had been subjected to some flagrant acts of injustice and oppression. The case contained such extraordinary allegations, and the captain's character was so remarkably fair and interesting, that the committee, which were empowered to send for persons, papers, and records, resolved to inquire into the particulars of his misfortune. A motion was made and agreed to, that the marshal of the prison should bring the captain before the committee, and the speaker's warrant was issued accordingly. The prisoner was produced, and examined at several sittings; and some of the members expressed a laudable eagerness to do him justice: but his antagonists were very powerful, and left no stone unturned to frustrate the purpose of the inquiry, which was dropped of course at the end of the session. Thus the unfortunate captain Walker, who had, in the late war, remarkably distinguished himself at sea by his courage and conduct, repeatedly signalized against the enemies of his country, was sent back, without redress, to the gloomy mansions of a gaol, where he had already pined for several years, useless to himself, and lost to the community, while he might have been profitably employed in retrieving his own fortune, and exerting his talents for the general advantage of the nation.

While

While this affair was in agitation, the bill for An. 1759. the relief of insolvent debtors was prepared, printed, and read a second time; but, when the motion was made for its being committed, a debate arose, and this was adjourned from time to time till the end of the session.

In the mean time the committee continued to deliberate upon the laws relating to bankruptcy; and in the beginning of June reported their resolution to the house, that, in their opinion, some amendments might be made to the laws concerning bankruptcy, to the advantage of creditors, and the relief of insolvents. Such was the notice vouchsafed to the cries of many British subjects, deprived of liberty, and destitute of the common necessities of life.

It would engage us in a long digressive discussion, were we to inquire how the spirit of the laws in England, so famed for lenity, has been exasperated into such severity against insolvent debtors; and why, among a people so distinguished for generosity and compassion, the goals should be more filled with prisoners than they are in any other part of Christendom. Perhaps both these deviations from a general character, are violent efforts of a wary legislature made in behalf of trade, which cannot be too much cherished in a nation that principally depends upon commerce. The question is, whether this laudable aim may not be more effectually accomplished, with subjecting individuals to oppression, arising from the cruelty and revenge of one another. As the laws are modelled at present, it cannot be denied that the debtor, in some cases, lies in a peculiar manner at

Remarks
upon the
laws re-
lating to
bank-
ruptcy.

An. 1759. the mercy of his creditor. By the original and common law of England, no man could be imprisoned for debt. The plaintiff, in any civil action, could have no execution upon his judgment against either the body or the lands of the defendant: even with respect to his goods and chattels, which were subject to execution, he was obliged to leave him such articles as were necessary for agriculture. But, in process of time, this indulgence being found prejudicial to commerce, a law was enacted, in the reign of the first Edward, allowing execution on the person of the debtor, provided his goods and chattels were not sufficient to pay the debt which he had contracted. This law was still attended with a very obvious inconvenience. The debtor, who possessed an estate in lands, was tempted to secrete his moveable effects, and live in concealment on the produce of his lands, while the sheriff connived at his retirement.

To remove this evil, a second statute was enacted in the same reign, granting immediate execution against the body, lands, and goods of the debtor, yet his effects could not be sold for the benefit of his creditor till the expiration of three months, during which he himself could dispose of them for ready money, in order to discharge his incumbrances. If the creditor was not satisfied in this manner, he continued in possession of the debtor's lands, and detained the debtor himself in prison, where he was obliged to supply him with bread and water for his support, until the debt was discharged. Other severe regulations were made in the sequel, particularly in the reign of the third Edward, which gave
rise

rise to the writ of *capias ad satisfaciendum*. This An. 1759: indeed rendered the preceding laws, called *statute-merchant*, and *statute staple*, altogether unnecessary. Though the liberty of the subject, and the security of the landholder, were thus, in some measure, sacrificed to the advantage of commerce, an imprisoned debtor was not left entirely at the mercy of an inexorable creditor. If he made all the satisfaction in his power, and could shew that his insolvency was owing to real misfortunes, the court of chancery interposed on his petition, and actually ordered him to be discharged from prison, when no good reason for detaining him could be assigned. This interposition, which seems naturally to belong to a court of equity, constituted with a view to mitigate the rigour of the common law, ceased in all probability after the restoration of the second Charles, and of consequence the prisons were filled with debtors. Then the legislature charged themselves with the extension of a power, which perhaps a chancellor no longer thought himself safe in exercising; and in the year one thousand six hundred and seventy, passed the first act for the relief of insolvent debtors, granted a release to all prisoners for debt, without distinction or enquiry. By this general indulgence, which has even in a great measure continued in all subsequent acts of the same kind, the lenity of the parliament may be sometimes misapplied, in as much as insolvency is often criminal, arising from profligacy and extravagance, which deserve to be severely punished. Yet, even for this species of insolvency, perpetual imprisonment, aggravated by the miseries of extreme indigence, and the danger of perishing through famine, may

An. 1759. may be deemed a punishment too severe. How cruel then must it be to leave the most innocent bankrupt exposed to this punishment, from the revenge or sinister design of a merciless creditor; a creditor, by whose fraud perhaps the prisoner became a bankrupt, and by whose craft he is detained in gaol, lest by his discharge from prison, he should be enabled to seek that redress in chancery, to which he is intitled on a fair account! The severity of the law was certainly intended against fraudulent bankrupts only; and the statute of bankruptcy is, doubtless, favourable to insolvents, as it discharges from all former debts those who obtain their certificates. As British subjects they are surely intitled to the same indulgence which is granted to other insolvents. They were always included in every act passed for the relief of insolvent debtors, till the sixth year of George I. when they were first excepted from this benefit. By a law enacted in the reign of queen Anne, relating to bankruptcy, any creditor was at liberty to object to the confirmation of the bankrupt's certificate; but the chancellor had power to judge whether the objection was frivolous or well founded: yet, by a late act, the chancellor is obliged to confirm the certificate, if it is agreeable to four-fifths in number and value of the creditors; whereas he cannot confirm it, should it be opposed, even without any reason assigned, by one creditor to whom the greatest part of the debt is owing. It might therefore deserve the consideration of parliament, whether, in extending their clemency to the poor, it should not be equally diffused to bankrupts and other insolvents; whether proper distinction ought not to be made

made between the innocent bankrupt, who fails through misfortunes in trade, and him who becomes insolvent from fraud or profligacy; and finally, whether the enquiry and trial of all such cases would not properly fall within the province of chancery, a tribunal instituted for the mitigation of common law. An. 1759.

The house of commons seems to have been determined on another measure, which, however, does not admit of explanation. An order was made in the month of February, that leave should be given to bring in a bill to explain, amend, and render effectual so much of an act, passed in the thirteenth year of George II. against the excessive increase of horse-races, and deceitful gaming, as related to that increase. The bill was accordingly presented, read, and printed, ordered to be committed to a committee of the whole house; but the order was delayed from time to time till the end of the session.

Some progress was likewise made in another affair of greater consequence to the community. A committee was appointed in the month of March, to take into consideration the state of the poor in England, as well as the laws enacted for their maintenance. The clerks of the peace belonging to all the countries, cities, and towns in England and Wales, were ordered to transmit, for the perusal of the house, an account of the annual expence of passing vagrants through their respective divisions and districts for four years; and the committee began to deliberate on this important subject. In the latter end of May the house was made acquainted with their resolutions, importing, that the present method of relieving the poor in the

Committee for taking in- to consideration the state of the poor in England and Wales.

An. 1759. the respective parishes, where no workhouses have been provided for their reception and employment, are, in general, very burthensome to the inhabitants, and tend to render the poor miserable to themselves, and useless to the community: that the present method of giving money out of the parochial rates, to persons capable of labour, in order to prevent them from claiming an entire subsistence for themselves and their families, is contrary to the spirit and intention of the laws for the relief of the poor, is a dangerous power in the hands of parochial officers, a misapplication of the public money, and a great encouragement to idleness and intemperance: that the employment of the poor, under proper direction and management, in such works and manufactures as are suited to their respective capacities, would be of great utility to the public: that settling the poor in workhouses, to be provided in the several counties and ridings in England and Wales, under the direction and management of governors and trustees to be appointed for that purpose, would be the most effectual method of relieving such poor persons, as by age, infirmities, or diseases, are rendered incapable of supporting themselves by their labour; of employing the able and industrious, reforming the idle and profligate, and of educating poor children in religion and industry: that the poor in such workhouses, would be better regulated and maintained, and managed with more advantage to the public, by guardians, governors, or trustees, to be specially appointed, or chosen for that purpose, and incorporated with such powers, and under such restrictions, as the legislature should deem proper, than by the

An. 1759.

the annual parochial officers: that erecting work-houses upon waste lands, and appropriating a certain quantity of such lands to be cultivated, in order to produce provisions for the poor in the said houses, would not only be a means of instructing and employing many of the said poor in agriculture, but lessen the expence of the public: that controversies and law-suits, concerning the settlements of poor persons, occasioned a very great, and, in general, an useless expence to the public, amounting to many thousand pounds per annum; and that often more money is expended in ascertaining such settlements, by each of the contending parishes, than would be sufficient to maintain the paupers: that should workhouses be established for the general reception of the poor, in the respective counties and ridings of England, the laws relating to the settlements of the poor, and the passing of vagrants, might be repealed: that while the present laws relating to the poor subsist, the compelling parish officers to grant certificates to the poor, would, in all probability, prevent the hardships they now suffer, in being debarred gaining their livelihood, where they can do it most usefully to themselves and the public.

From these sensible resolutions, the reader may conceive some idea of the misconduct that attends the management of the poor in England, as well as of the grievous burthens intailed upon the people by the present laws, which constitute this branch of the legislature. The committee's resolves being read at the table, an order was made that they should be taken into consideration on a certain day, when the order was again put off, and in the interim

Remarks
on the
resolu-
tions of
the com-
mittee.

An. 1759. rim the parliament was prorogued. While the committee deliberated upon this affair, leave was given to prepare a bill for preventing tenants, under a certain yearly rent, from gaining settlements in any particular parish, by being there rated in any land-tax assessment, and paying for the land-lord the money so charged. This order was afterwards discharged; and another bill brought in to prevent any person from gaining a settlement, by being rated by virtue of an act of parliament for granting any aid to his majesty, by a land-tax, and paying the same. The bill was accordingly presented, read, committed, and passed the lower house; but among the lords it miscarried. It can never be expected that the poor will be managed with œconomy and integrity, while the execution of the laws relating to their maintenance is left in the hands of low tradesmen, who derive private advantage from supplying them with necessaries, and often favour the imposition of one another with the most scandalous collusion. This is an evil which will never be remedied, until persons of independent fortune, and unblemished integrity, actuated by a spirit of true patriotism, shall rescue their fellow-citizens from the power of such interested miscreants, by taking the poor into their own management and protection. Instead of multiplying laws with respect to the settlement and management of the poor, which serve only to puzzle and perplex the parish and peace officers, it would become the sagacity of the legislature to take some effectual precautions to prevent the increase of paupers and vagrants, which is become an intolerable nuisance to the commonwealth. Towards this salutary

lutory end, surely nothing would more contribute than a reformation of the police, that would abolish those infamous places of entertainment, which swarm in every corner of the metropolis, seducing people of all ranks to extravagance, profligacy, and ruin; that would restrict within due bounds the number of public houses, which are augmented to an enormous degree, affording so many asylums for riot and debauchery, and corrupting the morals of the common people to such a pitch of licentious indecency, as must be a reproach to every civilized nation. Let it not be affirmed, to the disgrace of Great Britain, that such receptacles of vice and impunity subsist under the connivance of the government, according to the narrow views and confined speculation of those shallow politicians, who imagine that the revenue is increased in proportion to the quantity of strong liquors consumed in such infamous recesses of intemperance. Were this, in reality, the case, that administration would deserve to be branded with eternal infamy, which could sacrifice, to such a base consideration, the health, the lives, and the morals of their fellow-creatures: but nothing can be more fallacious than the supposition, that the revenue of any government can be increased by the augmented intemperance of the people; for intemperance is the bane of industry, as well as of population; and what the government gains in the articles of the duty on malt, and the excise upon liquors, will always be greatly over-balanced by the loss in other articles, arising from the diminution of hands, and the neglect of labour.

Exclusive of the bills that were actually prepared, though they did not pass in the course of this

An. 1759. this session, the commons deliberated on other important subjects, which, however, were not finally discussed. In the beginning of the session, a committee being appointed to resume the inquiry touching the regulation of weights and measures, a subject we have mentioned in the history of the preceding session, the box which contained a Troy pound weight, locked up by order of the house, was again produced by the clerk in whose custody it had been deposited. This affair being carefully investigated, the committee agreed to fourteen * resolutions, upon which a future law may possibly

Inquiry
touching
weights
and mea-
sures.

* As the curiosity of the reader may be interested in these resolutions, we shall here insert them for his satisfaction. The committee resolved, that the ell ought to contain one yard and one quarter, according to the yard mentioned in the third resolution of the former committee upon the subject of weights and measures: that the pole, or perch, should contain in length five such yards and a half; the furlong two hundred and twenty; and the mile one thousand seven hundred and sixty: that the superficial perch should contain thirty square yards and a quarter; the rood one thousand two hundred and ten; and the acre four thousand eight hundred and forty: that, according to the fourth, fifth, and sixth resolutions of the former committee, upon the subject of weights and measures, agreed to by the house on the second day of June in the preceding year, the quart ought to contain seventy cubical inches and one half; the pint thirty-five and one quarter; the peck five hundred and sixty-four; and the bushel two thousand two hundred and fifty-six. That the several parts of the pound, mentioned in the eighth resolution of the former committee, examined and adjusted in presence of this committee, viz. the half pound or six ounces, quarter of a pound or three ounces, two ounces, one ounce, two half ounces, the five penny weight, three penny weight, two penny weight, and one penny weight, the twelve grains, six grains, three grains, two grains, and two

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be founded. In the mean time it was ordered, that all the weights, referred to in the report, should

two of one grain each, ought to be the models of the several parts of the said pound, and to be used for sizing or adjusting weights for the future. That all weights exceeding a pound should be of brass, copper, bell-metal, or cast iron; and all those of cast iron should be made in the form, and with a handle of hammered iron, such as the pattern herewith produced, having the mark of the weight cast in the iron; and all weights of a pound, or under, should be of gold, silver, brass, copper, or bell-metal. That all weights of cast iron should have the initial letters of the name of the maker upon the upper bar of the handle; and all other weights should have the same, together with the mark of the weight, according to this standard, upon some convenient part thereof. That the yard, mentioned in the second resolution of the former committee, upon the subject of weights and measures, agreed to by the house in the last session, being the standard of length, and the pound, mentioned in the eighth resolution, being the standard of weight, ought to be deposited in the court of the receipt of the Exchequer,

Numb. 22.

and there safely kept, under the seals of the chancellor of the said Exchequer, and of the chief baron, and the seal of office of the chamberlain of the Exchequer, and not to be opened but by the order and in the presence of the chancellor of the Exchequer, and chief baron, for the time being. That the most effectual means to ascertain uniformity in measures of length and weight, to be used throughout the realm, would be to appoint certain persons, at one particular office, with clerks and workmen under them, for the purpose only of sizing and adjusting, for the use of the subjects, all measures of length and all weights, being parts, multiples, or certain proportions of the standards to be used for the future. That a model or pattern of the said standard yard, mentioned in the second resolution of the former committee, and now in custody of the clerk of the house, and a model or pattern of the standard pound, mentioned in the eighth resolution of that committee, together with models or patterns of the parts of the said pound, now presented to the house, and also of the multiples of the said pound,

E

men-

An. 1759. should be delivered to the clerk of the house to be locked up, and brought forth again occasionally.

mentioned in this report, (when the same are adjusted) should be kept in the said office, in custody of the said persons to be appointed for sizing weights and measures, under the seal of the chief baron of the Exchequer for the time being, to be opened only by order of the said chief baron, in his presence, or the presence of one of the barons of the Exchequer, on the application of the said persons for the purpose of correcting and adjusting, as occasion should require, the patterns or models used at the said office, for sizing measures of length and weight, delivered out to the subjects. That models or patterns of the said standard yard, and standard pound aforesaid, and also models or patterns of the parts and multiples aforesaid, of the said pound, should be lodged in the said office for the sizing of such measures of length or weight, as, being parts, multiples, or proportions of the said standards, should hereafter be required by any of his majesty's subjects. That all measures of length and weight, sized at the said office, should be marked in some convenient part thereof with such marks as should be thought expe-

dient, to shew the identity of the measures and weights sized at the said office, and to discover any frauds that may be committed therein. That the said office should be kept within a convenient distance of the court of Exchequer at Westminster; and that all measures of length and weight within a certain distance of London, should be corrected and re-affixed, as occasion should require, at the said office. That, in order to enforce uniformity in weights and measures, to be used for the future, all persons appointed by the crown to act as justices of the peace, in any county, city, or town corporate, being respectively counties within themselves, throughout the realm, should be impowered to hear and determine, and put the law in execution, in respect to weights and measures only, without any of them being obliged to sue out a *dedimus*, or to act in any other matter; and the said commissioners should be impowered to sue, imprison, inflict, or mitigate, such penalties as should be thought proper; and have such other authorities as should be necessary for compelling the use of weights and measures, agreeable

The house of commons, among other articles of domestic œconomy, bestowed some attention on the hospital for foundlings, which was now, more than ever, become a matter of national consideration. The accounts relating to this charity having been demanded, and subjected to the inspection of the members, were, together with the king's recommendation, referred to the committee of supply, where they produced the resolutions which we have already specified among the other grants of the year. The house afterwards resolved itself into a committee, to deliberate on the state of the hospital, and examine its accounts. On the third day of May their resolutions were reported to the following effect: That the appointing, by the governors and guardians of the said hospital, places in the several counties, ridings, or divisions in this kingdom, for the first reception of exposed and deserted young children, would be attended with many evil consequences; and that the conveying of children from the country to the said hospital is attended with many evil consequences, and ought to be prevented. A bill was ordered to be brought in, founded upon this last resolution; but never presented, therefore the inquiry produced no effect.

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Resolutions touching the Foundling-hospital.

Notwithstanding the institution of this charity, for the support of which great sums are yearly le-

greeable to the foresaid standards. That models or patterns of the said standard yard and pound, and of the parts and multiples thereof, before mentioned, should be distributed in each county, in such

a manner as to be readily used for evidence, in all cases where measures and weights should be questioned before the said commissioners, and for adjusting the same in a proper manner.

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vied on the publick, it does not appear that the bills of mortality, respecting new-born children, are decreased, nor the shocking crime of infant-murder rendered less frequent than heretofore. It may therefore be not improperly stiled an heavy additional tax for the propagation of bastardy, and the encouragement of idleness, among the common people; besides the tendency it has to extinguish the feelings of the heart, and dissolve those family-ties of blood by which the charities are connected.

Order relating to the gold and silver coin.

In the month of March leave was given to bring in a bill for the more effectual preventing of the melting down and exporting the gold and silver coin of the kingdom, and the persons were nominated to prepare it; but the bill never appeared, and no further inquiry was made about the matter. Perhaps it was supposed that such a measure might be thought an incroachment on the prerogative of the crown, which hath always exercised the power of fixing the standard and regulating the currency of the coin. Perhaps such a step was deferred on account of the war, during which a great quantity of gold and silver is necessarily exported to the continent, for the support of the allies and armies in the pay of Great Britain. The legislature, however, would do well to consider this eternal maxim in computation, that when a greater quantity of bullion is exported, in waste, than can be replaced by commerce, the nation must be hastening to a state of insolvency. If four millions are sent annually to the continent, from whence none returns, and the whole yearly profit arising to Great Britain from the ballance of her trade does not exceed three millions, it is very plain, that the nation must be-

become the poorer for this drain, at the rate of one million per year, and all the advantage that might be gained by one year's employment of this sum in trade and manufacture. The inference may perhaps appear more plain, from the comparison of a cistern furnished with two pipes, one of which discharges four gallons of the contents, while the other replaces no more than three: at this rate, the waste being greater than the supply, in the proportion of four to three, the reservoir must be soon run to the bottom. An. 1759.

Over and above these proceedings in this session of parliament, it may not be unnecessary to mention several messages which were sent by the king to the house of commons. That relating to the vote of credit we have already specified in our account of the supply. On the twenty-sixth day of April the chancellor of the Exchequer presented to the house two messages, signed by his majesty; one in favour of his subjects in North America, and the other in behalf of the East India company: the former recommending to their consideration the zeal and vigour with which his faithful subjects in North America had exerted themselves, in defence of his just rights and possessions; desiring he might be enabled to give them a proper compensation for the expences incurred by the respective provinces in levying, cloathing, and paying the troops raised in that country, according as the active vigour and strenuous efforts of the several colonies should appear to merit. In the latter, he desired the house would empower him to assist the East India company in defraying the expence of a military force in the East Indies, to be maintained

Messages
from the
king to
the par-
liament.

An. 1759. by them in lieu of a battalion of regular troops withdrawn from thence, and returned to Ireland. Both these messages were referred to the committee of supply, and produced the resolutions upon each subject, which we have already explained.

The message relating to a projected invasion by the enemies of Great Britain, we shall particularize in its proper place, when we come to record the circumstances and miscarriage of that design. In the mean time, it may not be improper to observe, that the thanks of the house of commons were voted and given to admiral Boscawen and major-general Amherst, for the services they had done their king and country in North America; and the same compliment was payed to admiral Osborne, for the success of his cruize in the Mediterranean.

Session
closed.

The session was closed on the second day of June with a speech to both houses, from the commissioners appointed by his majesty for that purpose. In this harangue the parliament was given to understand, that the king approved of their conduct, and returned them his thanks for their condescension; that the hopes he had conceived of their surmounting the difficulties which lay in their way, were founded on the wisdom, zeal, and affection of so good a parliament; and that his expectations were fully answered: that they had considered the war in all its parts, and, notwithstanding its long continuance, through the obstinacy of the enemy, had made such provision for the many different operations, as ought to convince the adversaries of Great Britain, that it would be for their interest, as well as for the ease and relief of all Europe, to embrace equitable and honourable terms of accom-
moda-

modation. They were told, that, by their assistance, the combined army in Germany had been compleated; powerful squadrons, as well as numerous bodies of land-forces, were employed in America, in order to maintain the British rights and possessions, and annoy the enemy in the most sensible manner in that country: that, as France was making considerable preparations in her different ports, he had taken care to put his fleet at home in the best condition, both of strength and situation, to guard against and repel any attempts that might be meditated against his kingdoms: that all his measures had been directed to assert the honour of his crown; to preserve the essential interests of his faithful subjects; to support the cause of the protestant religion, and public liberty: he therefore trusted, that the uprightness of his intentions would draw down the blessing of heaven upon his endeavours. He expressed his hope, that the precautions they had taken to prevent and correct the excesses of the privateers, would produce the desired effect: a consideration which the king had much at heart; for, though sensible of the utility of that service, when under proper regulations, he was determined to do his utmost to prevent any injuries or hardships which might be sustained by the subjects of neutral powers, as far as might be practicable and consistent with his majesty's just right to hinder the trade of his enemies from being collusively and fraudulently covered. He not only thanked the commons, but applauded the firmness and vigour with which they had acted, as well as their prudence in judging, that, notwithstanding the present burdens, the making ample provision

An. 1759. for carrying on the war was the most probable means to bring it to an honourable and happy conclusion. He assured them, that no attention should be wanting, on his part, for the faithful application of what had been granted. They were informed, he had nothing further to desire, but that they would carry down the same good dispositions, and propagate them in their several counties, which they had shewn in their proceedings during the session. These declarations being pronounced, the parliament was prorogued.

Spirit of
the people
at this
juncture.

The people of England, provoked on one hand by the intrigues, the hostilities, and menaces of France, and animated on the other by the pride of triumph and success, which never fails to reconcile them to difficulties, howsoever great, and expence, however enormous, at this period breathed nothing but war, and discoursed about nothing but new plans of conquest. We have seen how liberally the parliament bestowed the nation's money; and the acquiescence of the subjects in general under the additional burdens which had been imposed, appeared in the remarkable eagerness with which they embarked in the subscription planned by the legislature, in the vigorous assistance they contributed towards manning the navy, recruiting the army, and levying additional forces; and the warlike spirit which began to diffuse itself through all ranks of the people. This was a spirit which the m—y carefully cherished and cultivated, for the support of the war, which, it must be owned, was prosecuted with an ardour and efficacy peculiar to the present administration. True it is, the German war had been for some time adopted as an object of importance

An. 1759.

portance by the British counfels, and a resolution was taken to maintain it without flinching : at the same time it must be allowed, that this consideration had not hitherto weakened the attention of the m—y to the operations in America, where alone the war may be said to have been carried on and prosecuted on British principles, so as to distress the enemy in their most tender part, and at the same time acquire the most substantial advantages to the subjects of Britain.

For these two purposes, every preparation was made that sagacity could suggest, or vigour execute. The navy was repaired and augmented, and in order to man the different squadrons, the expedient of pressing, that disgrace to a British administration, was practised both by land and water with extraordinary rigour and vivacity. A proclamation was issued, offering a considerable bounty for every seamen and even landman that should, by a certain day, enter voluntarily in the service. As an additional encouragement to this class of people, the king promised his pardon to all seamen, who had deserted from the respective ships to which they belonged, provided they should return to their duty by the third day of July; but at the same time he declared, that those who should neglect this opportunity at a time when their country so much required their service, would, upon being apprehended, incur the penalty of a court-martial, and, if convicted, be deemed unfit objects of the royal mercy. All justices of the peace, mayors, and magistrates of corporations throughout Great Britain, were commanded to make particular search for straggling seamen fit for the service, and to send all that should be found to the nearest sea-port, that they might be sent on board by the sea-officer there com-

Prepara-
tions for
war.

An. 1758. commanding. Other methods more gentle and effectual were taken to levy and recruit the land-forces. New regiments were raised on his majesty's promise, that every man should be intitled to his discharge at the end of three years, and the premiums for inlisting were increased.

Bounties
given to
volun-
teers.

Over and above these indulgencies, considerable bounties were offered and given by cities, towns, corporations, and even by individuals, so universally were the people possessed with a spirit of chivalry and adventure. The example was set by the metropolis, where the common-council resolved, that voluntary subscriptions should be received in the chamber of London, to be appropriated as bounty-money to such persons as should engage in his majesty's service. The city subscribed a considerable sum for that purpose; and a committee of aldermen and commoners was appointed to attend at Guildhall, to receive and apply the subscriptions. As a further encouragement to volunteers, they moreover resolved, that every person so entering should be intitled to the freedom of the city, at the expiration of three years, or sooner, if the war should be brought to a conclusion. These resolutions being communicated to the king, he was pleased to signify his approbation, and return his thanks to the city, in a letter from the secretary of state to the lord-mayor. Large sums were immediately subscribed by different companies, and some persons; and, in imitation of the capital, bounties were offered by many different communities in every quarter of the united kingdom. At the same time such care and diligence were used in disciplining the militia, that, before the close of the year,

year, the greater part of those truly constitutional battalions rivalled the regular troops in the perfection of their exercise, and seemed to be in all respects as fit for actual service. An. 1759.

Before we proceed to record the transactions of the campaign that succeeded these preparations, we shall take notice of some domestic events, which, though not very important in themselves, may nevertheless claim a place in the History of England. In the beginning of the year, the court of London was overwhelmed with affliction at the death of the princess dowager of Orange and Nassau, gouvernante of the United Provinces in the minority of her son the present stadtholder. She was the eldest daughter of his Britannic majesty, possessed of many personal accomplishments and exemplary virtues, pious, moderate, sensible, and circumspect. She had exercised her authority with equal sagacity and resolution, respected even by those who were no friends to the house of Orange, and died with great fortitude and resignation†. In

Death of the princess of Orange, and of the princess Elizabeth Caroline,

† Feeling her end approaching, she delivered a key to one of her attendants, directing him to fetch two papers, which she signed with her own hand. One was a contract of marriage between her daughter and the prince of Nassau-Weilburg; the other was a letter to the States General, beseeching them to consent to this marriage, and preserve inviolate the regulations she had made, touching the education and tutelage of the young stadtholder. These

two papers being signed and sealed, she sent for her children, exhorted them to make proper improvements on the education they had received, and to live in harmony with each other. Then she implored heaven to shower its blessings on them both, and embraced them with the most affecting marks of maternal tenderness. She afterwards continued to converse calmly and deliberately with her friends, and in a few hours expired.

her

An. 1759.

her will she appointed the king her father, and the princess dowager of Orange, her mother-in-law, honorary tutors, and prince Louis of Brunswic, acting tutor to her children. In the morning after her decease, the States General and the states of Holland were extraordinarily assembled, and having received notice of this event, proceeded to confirm the regulations which had been made for the minority of the stadtholder. Prince Louis of Brunswic was invited to assist in the assembly of Holland, where he took the oaths as representing the captain-general of the union. Then he communicated to the assembly, the act by which the princess had appointed him guardian of her children. He was afterwards invited to the assembly of the States General, who agreed to the resolution of Holland with respect to his guardianship; and in the evening, the different colleges of the government sent formal deputations to the young stadtholder, and the princess Caroline his sister, in whose names and presence they were received, and answered by their guardian and representative. A formal intimation of the death of the princess was communicated to the king her father, in a pathetic letter, by the States General, who condoled with him on the irreparable loss, which he, as well as they, had sustained by this melancholy event; and assured him they would employ all their care and attention in securing and defending the rights and interests of the young stadtholder, and the princess his sister, whom they considered as the children of the republic. The royal family of England suffered another disaster in the course of this year, by the decease of the princess Elizabeth-

Caro-

Caroline, second daughter of his late royal highness Frederic prince of Wales, a lady of the most amiable character, who died at Kew in the month of September, before she had attained the eighteenth year of her age. An. 1759.

Certain privateers continuing their excesses at sea, and rifling neutral ships without distinction or authority, the government resolved to vindicate the honour of the nation, by making examples of these pyrates, who, as fast they could be detected and secured, were brought to trial, and upon conviction sacrificed to justice. While these steps were taken to rescue the nation from the reproach of violence and rapacity, which her neighbours had urged with such eagerness, equal spirit was exerted in convincing neutral powers that they should not, with impunity, contravene the law of nations, in favouring the enemies of Great Britain. A great number of causes was tried, relating to disputed captures, and many Dutch vessels, with their cargoes, were condemned after a fair hearing, notwithstanding the loud clamours of that people, and the repeated remonstrances of the States General.

Examples
made of
pyrates

The reputation of the English was not so much affected by the irregularities of her privateers, armed for rapine, as by the neglect of internal police, and an ingredient of savage ferocity, mingled in the national character; an ingredient that appeared but too conspicuous in the particulars of several shocking murders brought to light about this period. One Halsey, who commanded a merchant ship in the voyage from Jamaica to England, having conceived some personal dislike to a poor sailor, insulted him with such abuse, exposed him

Detail of
some atrocious
murders.

An. 1759. to such hardships, and punished him with such wantonness of barbarity, that the poor wretch leaped overboard in despair. His inhuman tyrant envying him that death, which would have rescued a miserable object from his brutality, plunged into the sea after him, and brought him on board, declaring he should not so escape while there were any torments left to inflict. Accordingly he exercised his tyranny upon him with redoubled rigour, until the poor creature expired, in consequence of the inhuman treatment he had sustained. This savage ruffian was likewise indicted for the murder of another mariner, but being convicted on the first trial; the second was found unnecessary, and the criminal suffered death according to the law, which is perhaps too mild to malefactors convicted of such aggravated cruelty. Another barbarous murder was perpetrated in the country near Birmingham, upon a sheriff's officer, by the sons of one Darby, whose effects the bailif had seized on a distress for rent. The two young assassins, encouraged by the father, attacked the unhappy wretch with clubs, and mangled him in a terrible manner, so that he hardly retained any signs of life. Not contented with this cruel execution, they stripped him naked, and dragging him out of the house, scourged him with a waggoner's whip, until the flesh was cut from his bones. In this miserable condition he was found weltering in his blood, and conveyed to a neighbouring house, where he immediately expired. The three barbarians were apprehended, after having made a desperate resistance. They were tried, convicted, and executed: the sons were hung in chains, and the body of the father dissected.

ed. The widow of a timber-merchant at Rotherhithe, being cruelly murdered in her own house, Mary Edmonson, a young woman her niece, ran out into the street with her own arms cut across, and gave the alarm, declaring her aunt had been assassinated by four men, who forced their way into the house, and that she (the niece) had received those wounds in attempting to defend her relation. According to the circumstances that appeared, this unnatural wretch had cut the throat of her aunt and benefactress with a case-knife, then dragged the body from the wash-house to the parlour; that she had stole a watch and some silver spoons, and concealed them, together with the knife and her own apron, which was soaked with the blood of her parent. After having acted this horrid tragedy, the bare recital of which the humane reader will not peruse without horror, she put on another apron, and wounded her own flesh, the better to conceal her guilt. Notwithstanding these precautions she was suspected, and committed to prison. Being brought to trial, she was convicted and condemned upon circumstantial evidence, and, finally, executed at Kennington-Common, though she denied the fact to the last moment of her life. At the place of execution she behaved with great composure, and, after having spent some minutes in devotion, protested she was innocent of the crime laid to her charge. What seemed to corroborate this protestation, was the condition and character of the young woman, who had been educated in a sphere above the vulgar, and maintained a reputation without reproach in the country, where she was actually betrothed to a clergy-

An. 1759, clergyman. On the other hand, the circumstances that appeared against her, almost amounted to a certainty, though nothing weaker than proof positive ought to determine a jury in capital cases, to give a verdict against the person accused. After all, this is one of those problematic events, which elude the force of all evidence, and serve to confound the pride of human reason. A miscreant, whose name was Haines, having espoused the daughter of a farmer in the neighbourhood of Gloucester, who possessed a small estate, which he intended to divide among seven children, was so abandoned as to form the design of poisoning the whole family, that by virtue of his wife he might enjoy the whole inheritance. For the execution of this infernal scheme, he employed his own father to purchase a quantity of arsenic; part of which he administered to three of the children, who were immediately seized with the dreadful symptoms produced by this mineral, and the eldest expired. He afterwards mixed it with three apple-cakes which he bought for the purpose, and presented to the other three children, who underwent the same violence of operation which had proved fatal to the eldest brother. The instantaneous effects of the poison, created a suspicion of Haines; who being examined, the whole scene of villainy stood disclosed. Nevertheless, the villain found means to escape.

The uncommon spirit of assassination which raged at this period, seemed to communicate itself even to foreigners who breathed the English air. Five French prisoners, confined on board the king's ship the Royal Oak, were convicted of having murdered

dered one Jean de Manaux, their countryman and fellow prisoner, in revenge for his having discovered that they had forged passes to facilitate their escape. Exasperated at this detection, they seized this unfortunate informer in the place of their confinement, gagged his mouth, stripped him naked, tied him with a strong cord to a ring-bolt, and scourged his body with the most brutal perseverance. By dint of struggling the poor wretch disengaged himself from the cord with which he had been tied : then they finished the tragedy, by leaping and stamping on his breast, till the chest was broke, and he expired. They afterwards severed the body into small pieces, and these they conveyed at different times into the sea, through the funnel of a convenience to which they had access ; but one of the other prisoners gave information of the murder, in consequence of which they were secured, brought to trial, condemned and punished with death. Nor were the instances of cruel assassination, which prevailed at this juncture, confined to Great Britain. At the latter end of the foregoing year, an atrocious massacre was perpetrated by two Genoese mariners, upon the master and crew of an English vessel, among whom they were enrolled. These monsters of cruelty were in different watches, a circumstance that favoured the execution of the horrid plan they had concerted. When one of them retired to rest with his fellows of the watch, consisting of the mate and two seamen, he waited till they were fast asleep, and then butchered them all with a knife. Having so far succeeded without discovery, he returned to the deck, and communicated the exploit to his asso-

An. 1759. ciate: then they suddenly attacked the master of the vessel, and cleft his head with an hatchet, which they likewise used in murdering the man that stood at the helm; a third was likewise dispatched, and no Englishman remained alive but the master's son, a boy who lamented his father's death with incessant tears and cries for three days, at the expiration of which he was likewise sacrificed, because the assassins were disturbed by his clamour. This barbarous schene was acted within sixty leagues of the rock of Lisbon; but the vessel was taken between the capes Ortugal and Finisterre, by the captain of a French privateer called *La Favourite*, who seeing the deck stained with blood, and finding all the papers of the ship destroyed, began to suspect that the master and crew had been murdered. He accordingly taxed them with the murder, and they confessed the particulars. The privateer touched at Vigo, where the captain imparted this detail to the English consul; but the prize with the two villains on board, was sent to Bayonne in France, where it is to be hoped, for the honour of humanity, they were brought to condign punishment, notwithstanding the war that subsists between the two nations; for there are certain established rights of general justice and humanity, which no particular war can destroy. We shall close this register of blood with the account of a murder, remarkable in all its circumstances, for which a person called Eugene Aram, suffered at York in the course of this year. This man, who exercised the profession of a schoolmaster at Knaresborough, had, as far back as the year one thousand seven hundred and forty-five, been concerned with one Houseman,

An. 1759.

man, in robbing and murdering Daniel Clarke, whom they had previously persuaded to borrow a considerable quantity of valuable effects from different persons in the neighbourhood, on false pretences, that he might retire with the booty. He had accordingly filled a sack with these particulars, and begun his retreat with his two perfidious associates, who suddenly fell upon him, deprived him of life, and, having buried the body in a cave, took possession of the plunder. Though Clarke disappeared at once in such a mysterious manner, no suspicion fell upon the assassins; and Aram, who was the chief contriver and agent in the murder, moved his habitation to another part of the country. In the summer of the present year, Houseman being employed, among other labourers, in repairing the public highway, they, in digging for gravel by the road side, discovered the skeleton of a human creature, which the majority supposed to be the bones of Daniel Clarke. This opinion was no sooner broached than Houseman, as it were by some supernatural impulse which he could not resist, declared that it was not the skeleton of Clarke, inasmuch as his body had been interred in a place called St. Robert's Cave, where they would find it with the head turned to a certain corner. He was immediately apprehended, examined, admitted as evidence for the crown, and discovered the particulars of the murder. The skeleton of Clarke being found exactly in the place and manner he had described, Eugene Aram, who now acted as usher to a grammar-school in the county of Norfolk, was secured, and brought to trial at the York assizes. There, his own wife corroborating the tes-

An. 1759. timony of Houseman, he was found guilty, and received sentence of death, notwithstanding a very artful and learned defence, in which he proved, from argument and example, the danger of convicting a man upon circumstantial evidence. Finding all his remonstrances ineffectual, he recommended himself in pathetic terms to the king's mercy; and if ever murder was intitled to indulgence, perhaps it might have been extended, not improperly, to this man, whose genius, in itself prodigious, might have exerted itself in works of general utility. He had, in spite of all the disadvantages attending low birth, and straitened circumstances, by the dint of his own capacity and inclination, made considerable progress in mathematics and philosophy, acquired all the languages ancient and modern, and executed part of a Celtic dictionary, which, had he lived to finish it, might have thrown some essential light upon the origin and obscurities of the European History. Convinced, at last, that he had nothing to hope from the clemency of the government, he wrote a short poem in defence of suicide; and on the day fixed for his execution, opened the veins of his left arm with a razor, which he had concealed for that purpose. Though he was much weakened by the effusion of blood, before this attempt was discovered; yet, as the instrument had missed the artery, he did not expire until he was carried to the gibbet, and underwent the sentence of the law. His body was conveyed to Knaresborough-forest, and hung in chains, near the place where the murder was perpetrated. These are some of the most remarkable that appeared among many other instances of homi-

homicide; a crime that prevails to a degree alike deplorable and surprizing, even in a nation renowned for compassion and placability. But this will generally be the case among people whose passions, naturally impetuous, are ill restrained by laws and the regulations of civil society, which the licentious do not fear, and the wicked hope to evade.

The prince of Wales having, in the beginning of June, entered the two and twentieth year of his age, the anniversary of his birth was celebrated with great rejoicings at court, and the king received compliments of congratulation on the majority of a prince, who seemed born to fulfil the hopes and compleat the happiness of Great Britain. The city of London presented an address to the king on this occasion, replete with expressions of loyalty and affection, assuring his majesty, that no hostile threats could intimidate a people animated by the love of liberty, who, confiding in the Divine Providence, and in his majesty's experienced wisdom and vigorous councils, were resolved to exert their utmost efforts towards enabling their sovereign to repel the insults and defeat the attempts made by the antient enemies of his crown and kingdom.

Majority
of the
prince of
Wales.

Congratulations of the same kind were offered by other cities, towns, corporations, and communities, who vied with each other in professions of attachment; and, indeed, there was not the least trace of disaffection perceivable at this juncture in any part of the island.

So little were the citizens of London distressed by the expence, or incommoded by the operations of the war, that they found leisure to plan and

An. 1759. funds to execute magnificent works of art, for the ornament of the metropolis, and the convenience of commerce. They had obtained an act of parliament, empowering them to build a new bridge over the Thames, from Black-friars to the opposite shore, about midway between those of London and Westminster. Commissioners were appointed to put this act in execution; and, at a court of common council, it was resolved, that a sum not exceeding one hundred and forty-four thousand pounds should be forthwith raised, within the space of eight years, by instalments, not exceeding thirty thousand pounds in one year, to be payed into the chamber of London; that the persons advancing the money should have an interest at the rate of four pounds per centum per annum, to be paid half yearly by the chamberlain, yet redeemable at the expiration of the first ten years; and that the chamberlain should affix the city's seal to such instruments as the committee might think fit to give, for securing the payment of the said annuities. Such were the first effectual steps taken towards the execution of a laudable measure, which met with the most obstinate opposition in the sequel, from the narrow views of particulars, as well as from the prejudice of party.

Resolutions concerning a new bridge to be built at Black-friars.

Conflagration in London.

The spirit that now animated the citizens of London was such as small difficulties did not retard, and even considerable losses could not discourage. In the month of November the city was exposed to a dangerous conflagration, kindled in the night by accident in the neighbourhood of the Royal Exchange, which burned with great fury, notwithstanding the assistance of the firemen and

en-

engines, employed under the personal direction of the magistracy, consumed a good number of houses, and damaged many more. The whole quarter of the town was filled with consternation: some individuals were beggared; one or two perished in the flames, and some were buried in the ruin of the houses that sunk under the disaster. The inhabitants of London must be always subject to such calamities, until the houses are rebuilt in a more substantial stile of architecture. Composed as they are at present of the worst materials, huddled together in the slightest manner, without beauty, order, strength, or uniformity, they totter as they stand, weakly supported by one another, without solidity to stand independent of that support, without walls of division to stop the progress of the flames in any accidental conflagration. Such are the dangers attending the practice of letting building leases to ignorant and mercenary tradesmen, who, without skill, or concern for the consequence, rear up those frail tenements for sale, and, to a sordid thirst of lucre, shamefully sacrifice the lives of their fellow-creatures. In other countries this is deemed a consideration of great importance, and in time, it is to be hoped, may engage the notice of the British legislature, among other evils arising from the spirit of jobbing, which seems to have diffused itself through every department of public and private œconomy.

The ferment of mind so peculiar to the natives of Great Britain, excited by a strange mixture of genius and caprice, passion and philosophy, study and conjecture, produced at this period some flowers of improvement, in different arts and sciences,

Method
contrived
to find
out the
longitude
at sea

An. 1759. sciences, that seemed to promise fruit of public utility. Several persons invented methods for discovering the longitude at sea, the great desideratum in navigation, for the ascertainment of which so many nations have offered a public recompence, and in the investigation of which so many mathematical heads have been disordered. Some of those, who now appeared candidates for the prize, deserved encouragement for the ingenuity of their several systems; but he who seemed to enjoy the pre-eminence, in the opinion and favour of the public, was Mr. Irwin, a native of Ireland, who contrived a chair so artfully poised, that a person, sitting in it, on board a ship, even in a rough sea, can, through a telescope, observe the immersion and emersion of Jupiter's satellites, without being interrupted or incommoded by the motion of the vessel. This gentleman was favoured with the assistance and protection of commodore lord Howe, in whose presence the experiment was tried in several ships at sea with such success, that he granted a certificate, signifying his approbation; and, in consequence of this, Mr. Irwin is said to have obtained a considerable reward from the board of admiralty.

Remark-
ble will
of general
Hawley.

Among other occurrences of this year, that serve to denote the peculiarity of temper that sometimes appears among the English people, we shall insert the last will of lieutenant-general Hawley*, who died

* *Copy of the will of the late lieutenant-general Hawley.*

I being perfectly well, both
in body and mind, now that

I am writing this my last will,
by which I do hereby give,
order,

died in March at an advanced age ; a man remarkable for the severity of discipline which he exer-

order, and dispose of what is mine, both real and personal, that there may be no disputes after I am gone. — Therefore, as I began the world with nothing, and as all I have is of my own acquiring, I dispose of it as I please. But, first, I direct and order, that as there is now a peace, and I may die the common way, my carcase may be put any where ; it is equal to me : but I will have no more expence, or ridiculous show than if a poor soldier (who is as good a man) was to be buried from the hospital. The priest, I conclude, will have his fee ; let the puppy have it ; pay the carpenter for the carcase box. Debts I have none at this time : some very small trifles of course there may be ; let them be paid ; there is wherewith to do it. First, then, to my only sister Ann Hawley, if she survives me, I give and bequeath five thousand pounds sterling out of the seven thousand five hundred which I have at this time in bank annuities of one thousand seven hundred and forty-eight. Be that altered or not, I still give her five thousand pounds out of what I die worth, to dispose of as she pleases, and this to be made over to her

or paid, as soon as possible after I am dead ; a month at most. As to any other relations, I have none who want ; and as I was never married, I have no heirs ; I therefore have long since taken it in my head to adopt one heir and son, after the manner of the Romans, who I hereafter name. But, first, there is one Mrs. Elizabeth Toovey, widow, mother of this aforesaid adopted son, who has been for many years my friend and companion, and often my careful nurse, and in my absence a faithful steward : she is the person I think myself bound in honour and gratitude to provide for as well as I can during her life. I do therefore give and bequeath unto the said Elizabeth Toovey, widow, all that my freehold estate, houses, outhouses, &c. and all the land thereto belonging, situated at the upper end of West-Green, in the parish of Hartley-Wintney, and county of Southampton, which I bought of William Shipway : I likewise give the said Elizabeth Toovey the lands or farm, commonly called Ex-all's farm, which join to the aforesaid lands bought of William Shipway, and which

An. 1759. cised in the army, who, though generally allowed to be an active soldier, was as generally disliked for

I bought of lord Castlemain. I also give her the field adjoining thereto, which I bought of farmer Hellhouse, called the paddock. I likewise give to the said Elizabeth Toovey my farm-house; other house, and all outhouses, &c. and all the lands thereto belonging, situate at the bottom of West-Green parish, and county aforesaid, which farm, lands, &c. I bought of farmer Hellhouse. I likewise give and bequeath unto the said Elizabeth Toovey, the great meadow which I bought of Thomas Ellis, carpenter or wright, which is commonly called Tilligany; and I give also the little meadow over-against the great one, part of the purchase made of farmer Hellhouse, to her. And I also give to the said Elizabeth Toovey a little barn and farm I lately purchased, called Birchin Reeds, upon Hazely Heath, in the parish of Mattingly, or Heezfield. I likewise give and bequeath to the said Elizabeth Toovey my house, stables, outhouses, and all the ground thereto belonging, which I purchased lately of the widow Rooke, situate in the parish of St. George, near Hyde-park gate, in the county of Middlesex,

she to hold and possess these several houses and estates during her natural life; and then, after her decease, I give and bequeath them unto her second son, Captain William Toovey, my adopted son and heir, at present a captain in the regiment of royal dragoons under my command; then when his mother dies, and not before, the whole which I have and do give her, to come to him, and be his and his heirs for ever. And do direct and require the said captain William Toovey, that as soon as I am dead he shall forthwith take upon him both my names, and sign them, either by act of parliament, or otherwise, as shall be needful. I do order and appoint that the aforesaid Elizabeth Toovey shall have the use of all my goods, plate, &c. during her life, as also the use and interest of all the sums of money I die possessed of in present, as also what shall be due to me from the government during her natural life, except always the five thousand pounds which I give my sister, and what legacies hereafter follow, and debts paid, my horses and arms exclusive. I do appoint captain William Toovey

the caprice and cruelty of his disposition ; and who, An. 1759.
with all his industry, could never acquire the repu-

Toovey my sole executor and trustee, to see this my will executed punctually, and to act in behalf of my sister, his mother, brother, and himself, and to state my accounts with my agent for the time being, and all others concerned. As to his brother lieutenant-colonel John Toovey, I give and bequeath unto him one thousand pounds out of the money the government owes me, when paid. I also give him all my horses and arms. I also give him up the writings and money which his brother captain William Toovey owes me, lent him for the several preferments in the regiment. I give and bequeath to Elizabeth Burkitt, spinster, one hundred pounds as a legacy, she having been an useful agreeable handmaid to me ; but upon this condition that she never marries lieutenant-colonel J. T. if she does, I give her nothing. Likewise, if lieutenant-colonel J. T. should be fool enough ever to marry her Elizabeth Burkitt, I disannul whatever relates to her and him ; and I give nothing either to lieutenant-colonel T. or to her. And if after all this, they should be both fools, and marry, I do

hereby give what I had given to them, I say, I give it to my sister Anne Hawley, and her heirs, and order her or them to sue for the same. I once more appoint captain William Toovey, my executor and trustee, and I order him to administer: there is no debts will trouble him or his mother: what there is she shall pay ; and that he immediately wait on my sister with a copy of this will, if she survives me ; if not, what I give her is his. In case I have not time to make another will, my house in the Mews, which lease is almost out, my sister has already by my gift. My house at Charlton I shall sell, so do not mention it. I have no other will but this, which is my last. In witness whereof I have hereunto set my hand and seal, having writ it all with my own hand, and signed each page ; and this I did because I hate all priests of all professions, and have the worst opinion of all members of the law. This the 29th of March, in the 24th year of the reign of king George II. and in the year of our Lord 1749.

(L.S.) He. Hawley.

Signed,

An. 1759. tation of a great officer. A whimsical oddity of character, and a vulgar turn of sentiment, are very

Signed, sealed, and delivered, by lieutenant general Hawley, in our presence, who likewise in his presence have subscribed our names, as witnesses,

J. Wilkinson, Samuel Mofs,
Patt. Maguire.

What follows in this sheet is a codicil to the foregoing will; but without making any alteration in the said foregoing will. I by this give and bequeath to captain William Toovey, and his heirs, that farm and lands called Hurlebutts-Farm, lying near Hartford-bridge; which lands I lately purchased of James Hare, yeoman: the house and barns not being yet purchased, nor twenty pounds a year belonging to it; but as the said James Hare is under an obligation to sell it to me at a stipulated price, within twelve months, I do give the said house, lands, &c. to the said captain William Toovey, in the same manner as the lands last mentioned: therefore I have hitherto set my hand and seal this 7th day of November, in the 25th year of the reign of king George the Second, in the year of our Lord 1749.

(L.S.) He. Hawley.

Signed, sealed, and delivered by lieutenant-general Hawley, in the presence of us, who likewise in his presence have subscribed our names, as witnesses,

Am. Hughes, Thomas Gibson, Henry Romerman.

This sheet is also a codicil to my will:

Whereas my estate is increased since the former date, by the purchase of Depley-mill, and lands, &c. thereto belonging, at the rent of fifty pounds a year, and by a mortgage of one thousand pounds upon the estate of one John Fly at Odiam, as also of, or by a mortgage of one thousand five hundred pounds upon the toll of the turnpike at Pheanise-green parish of Hartley-Wintney; I do give to the aforesaid Anne Hawley, my sister, the abovesaid mill, lands, &c. for her life; after her to captain William Toovey; and order him to pay her fifty pounds a year, penny rent, by half yearly payments. I give to Elizabeth Burkitt the thousand pounds mortgage upon John Fly's estate; and I give to captain William Toovey the one thousand five hundred pounds loan on the toll as above,

conspicuous in the following legatary disposition of his effects, suggested by his own imagination, and

An. 1759.

above in present to him. Witness my hand and seal this 22d day of October, 26th year of king George the Second, anno Dom. 1750.

(L. S.) He. Hawley.

Signed, sealed, and delivered by lieutenant-general Henry Hawley, in the presence of us, who likewise in his presence have set our names, as witnesses,

John Smith, John Baigen, Jaque Gaillard.

This sheet is also a codicil to my will :

Whereas, since the foregoing codicil, I have purchased that estate at Odiam on which I had a mortgage, being fifty pounds a year, I give that in present to my sister Anne Hawley, instead of Depleymill, &c. The mill I give to captain William Toovey, and order him as before, to pay my sister fifty pounds a year, penny rent, quarterly. And whereas I have articulated for an estate called Bluehouse Farm, (tho' the writings are not finished) when done, I give to captain William Toovey in present. I give to Elizabeth Burkitt one thousand pounds to be paid her by her aunt Mrs. Elizabeth Toovey, out of the rea-

dy money I leave to her, either in the funds or elsewhere; this in lieu of the mortgage mentioned before. I give more to Mrs. Elizabeth Toovey, widow, the one thousand five hundred pounds, lent upon the turnpike as before-mentioned. I give to lieutenant-colonel John Toovey, all my arms, horses, books, plans, and every thing that is military. Witness my hand and seal this 28th of February, 1752, in the 27th year of the reign of king George the Second, anno Dom. 1752.

(L. S.) He. Hawley.

Signed, sealed, and delivered by lieutenant-general Hawley, in the presence of us, who likewise in his presence have set our names as witnesses,

John Smith, William Dolly, John Baigen.

This sheet is also a codicil to my will :

Whereas my estate is again increased since the last date, having now purchased the aforesaid Bluehouse-farm, as also a farm, and house, and lands at Hall side near Odiam, of one Mr. Horne, rent twenty one pounds a year; I give the said lands, &c. of both the

An. 1759.

written with his own hand, in order, as it appears, to mortify the practitioners of the law, by depriving that profession of the honour and profit which otherwise might have accrued to it, from employing one of its retainers to compose his will in the usual form. Even in this particular, his triumph was premature, and, in all probability, his intention defeated, inasmuch as the testament he devised, with a view to prevent all dispute, contains certain ambiguities and absurdities, which, in

the above farms, to the fore-
said William Toovey. [*I do
also give unto him the mortgage
of four thousand pounds, which
I am to have upon Mr. Cotting-
ham's estate in Hampshire, when
the title is made good, which
is now before council:*] if it
should not be made good, I
give the interest of that four
thousand pounds to his mo-
ther Elizabeth Toovey for her
life, and afterwards to him
the said William Toovey; as
likewise all the moneys he
shall receive on my account,
due from the government;
the interest of which I have
before given to her for her
life. The title of the mort-
gage having not been made

good, I have scratched those
lines out as above. Whatever
purchases I may hereafter
make, or whatever money I
shall hereafter lend upon
mortgage, I give to the afore-
said capt. William Toovey.
Witness my hand and seal
this 16th day of May, in
the 28th year of the reign of
king George the second, Anno
Domini 1753. (L. S.)

Hen. Hawley.

Signed, sealed, and delivered
by lieutenant-general Haw-
ley in the presence of us,
who in his presence have
set our names as witnesses,
— Robert Leggat, Henry
Romerma.

The form of this testament, by which general Hawley has endeavoured to establish a character for singularity, serves only to display an arrogance of spirit, a contempt for the customs of his country, and a weakness of understanding, couched in very vulgar expressions; some of which are not easily reconcilable to common sense, and some inconsistent with the common rules of construction.

the

the opinion of many persons, may be abundantly fruitful of law-suits and dissention. An. 1759.

The people of England, happy in their situation, felt none of the storms of war and desolation which ravaged the neighbouring countries; but enriched by a surprising augmentation of commerce, enjoyed all the security of peace, and all the pleasures of taste and affluence. The university of Oxford having conferred the office of their chancellor, vacant by the death of the earl of Arran, upon another nobleman of equal honour and integrity, namely, the earl of Westmoreland, he made a public entrance into that celebrated seat of learning with great magnificence, and was installed amidst the encœnia, which were celebrated with such classical elegance of pomp, as might have rivalled the chief Roman festival of the Augustan age. The chancellor elect was attended by a splendid train of the nobility and persons of distinction. The city of Oxford was filled with a vast concourse of strangers. The processions were contrived with taste, and conducted with decorum. The installation was performed with the most striking solemnity: The congratulatory verses, and public speeches, breathed the spirit of old Rome; and the ceremony was closed by Dr. King, that venerable sage of St. Mary Hall, who pronounced an oration in praise of the new chancellor with all the flow of Tully, animated by the fire of Demosthenes.

Installation at Oxford.

In the spring of this year the liberal arts sustained a lamented loss in the death of George Frederic Handel, the most celebrated master in music which this age had produced. He was by birth a German; but had studied in Italy, and afterwards settled

Death of Mr. Handel.

An. 1759. led in England, where he met with the most favourable reception, and resided above half a century, universally admired for his stupendous genius in sublime parts of musical composition *.

A deplorable incident at sea.

We shall conclude the remarkable incidents of this year, that are detached from the prosecution of the war, with the detail of an event equally surprising and deplorable. A sloop called the Dolphin, bound from the Canaries to New-York, met with such unfavourable weather, that she was detained one hundred and sixty-five days in the passage, and the provision of the ship was altogether expended before the first fifty days were elapsed. The wretched crew had devoured their dog, cat, and all the shoes on board: at length being reduced to the utmost extremity, they agreed to cast lots for their lives, that the body of him upon whom the lot should fall, might serve for some time to support the survivors. The wretched victim was one Antonia Galatia, a Spanish gentleman and

*One would be apt to imagine that there was something in the constitution of the air at this period, which was particularly unfavourable to old age, inasmuch as, in the compass of a few months, the following persons, remarkable for their longevity, died in the kingdom of Scotland. William Barnes, who had been above seventy years a servant in the family of Brodie, died there at the age of one hundred and nine. Katherine Mackenzie died in

Ross-shire at the age of one hundred and eighteen. Janet Blair, deceased at Monemusk in the shire of Aberdeen, turned of one hundred and twelve. Alexander Stephens, in Banff-shire, at the age of one hundred and eight. Janet Harper, at Bains-hole, at the age of one hundred and seven. Donald Cameron, in Rannach, married when he was turned of one hundred, and survived his marriage thirty years.

pas-

passenger: Him they shot with a musquet; and having cut off his head, threw it overboard; but the intrails, and the rest of the carcase, they greedily devoured. This horrid banquet having, as it were, fleshed the famished crew, they began to talk of another sacrifice, from which, however, they were diverted by the influence and remonstrances of their captain, who prevailed upon them to be satisfied with a miserable allowance to each per diem, cut from a pair of leathern breeches found in the cabbin. Upon this calamitous pittance, reinforced with the grass which grew plentifully upon the deck, these poor objects made shift to subsist for twenty days, at the expiration of which they were relieved, and taken on board one captain Bradshaw, who chanced to fall in with them at sea. By this time the whole crew, consisting of seven men, were so squalid and emaciated, as to exhibit an appearance at once piteous and terrible; and so reduced in point of strength, that it was found necessary to use ropes and tackle for hoisting them from one ship to the other. The circumstance of the lot falling upon the Spaniard, who was the only foreigner on board, encourages a suspicion that foul play was offered to this unfortunate stranger; but the most remarkable part of this whole incident is, that the master and crew could not contrive some sort of tackle to catch fish, with which the sea every where abounds, and which, no doubt, might be caught with the help of a little ingenuity. If implements of this kind were provided in every ship, they would probably prevent all those tragical events at sea that are occasioned by famine.

An. 1759.

Captures
made by
separate
cruizers.

Previous to the more capital operations in war, we shall particularize the most remarkable captures that were made upon the enemy by single ships of war, during the course of this summer and autumn. In the month of February a French privateer, belonging to Granville, called the Marquis de Marnigny, having on board near two hundred men, and mounted with twenty cannon, was taken by captain Parker, commander of his majesty's ship the Montague; who likewise made prize of a smaller armed vessel, from Dunkirk, of eight cannon and sixty men.

About the same period, captain Graves, of the Unicorn, brought in the Moras privateer of St. Malo, carrying two hundred men, and two and twenty cannon.

Two large merchant-ships, loaded on the French king's account, for Martinique, with provision, cloathing, and arms, for the troops on that island, were taken by captain Lendrick, commander of the Brilliant; and an English transport from St. John's, having four hundred French prisoners on board, perished near the Western Islands.

Within the circle of the same month, a large French ship from St. Domingo, richly laden, fell in with the Favourite ship of war, and was carried into Gibraltar.

Captain
Hood
takes the
Bellona.

In the month of February, captain Hood, of his majesty's ship the Vestal, belonging to a small squadron commanded by admiral Holmes, who had sailed for the West Indies in January, being advanced a considerable way a head of the fleet, descried and gave chase to a sail, which proved to be a French frigate called the Bellona, of two hundred

dred and twenty men, and two and thirty great guns, commanded by the count de Beauhonoire. Captain Hood, having made a signal to the admiral, continued the chase until he advanced within half musket-shot of the enemy, and then poured in a broadside, which was immediately retorted. The engagement, thus begun, was maintained with great vigour on both sides, for the space of four hours; at the expiration of which the *Bellona* struck, after having lost all her masts and rigging, together with about forty men killed in the action: nor was the victor in a much better condition. Thirty men were killed and wounded on board of the *Vestal*. Immediately after the enemy submitted, all her rigging being destroyed by the shot, the topmast fell overboard; and she was otherwise so damaged, that she could not proceed on her voyage. Captain Hood, therefore, returned with his prize to Spithead; and afterwards met with a gracious reception from his majesty, on account of the valour and conduct he had displayed on this occasion. The *Bellona* had sailed in January from the island of Martinique, along with the *Florissant*, and another French frigate, from which she had been separated in the passage.

Immediately after this exploit, captain Elliot, of the *Æolus* frigate, accompanied by the *Isis*, made prize of a French ship, the *Mignonne*, of twenty guns, and one hundred and forty men, one of four frigates employed as convoy to a large fleet of merchant-ships, near the island of Rhée.

In the month of March, the English frigates the *Southampton* and *Melampe*, commanded by the captains Gilchrist and Hotham, being at sea to the

An. 1759.

Captain
Gilchrist
wounded
in an en-
gagement
at sea.

northward on a cruize, fell in with the Danae, a French ship of forty cannon, and three hundred and thirty men, which was engaged by captain Hothman in a ship of half the force, who maintained the battle a considerable time with admirable gallantry, before his comfort could come to his assistance. As they fought in the dark, captain Gilchrist was obliged to lie by for some time, because he could not distinguish the one from the other; but no sooner did the day appear than he bore down upon the Danae with his usual impetuosity, and soon compelled her to surrender: she did not strike, however, until thirty or forty of her men were slain; and the gallant captain Gilchrist had received a grape-shot in his shoulder, which though it did not deprive him of life, yet rendered him incapable of future service: a misfortune the more to be lamented, as it happened to a brave officer in the vigour of his age, and in the midst of a sanguinary war, which might have afforded him many other opportunities of signalizing his courage, for the honour and advantage of his country.

The
Count de
St. Flo-
rentin
taken by
captain
Barring-
ton.

Another remarkable exploit was about the same juncture achieved by captain Barrington, commander of the ship Achilles, mounted with sixty cannon, who, to the westward of Cape Finisterre, encountered a French ship of equal force, called the Count de St. Florentin, bound from Cape Francois on the island of Hispaniola to Rochfort, under the command of the Sieur de Montay, who was obliged to strike after a close and obstinate engagement, in which he himself was mortally wounded, a great number of his men slain, and his ship so damaged, that she was with difficulty brought into

Fal-

Falmouth. Captain Barrington obtained the victory at the expence of about five and twenty men killed and wounded, and all his rigging, which the enemy's shot had rendered useless.

An. 1759.

Two small privateers from Dunkirk were also taken, one called the Marquis de Bareil, by the Brilliant, which carried her into Kinsale in Ireland; the other called the Carillonneur, which struck to the Grace cutter, assisted by the boats of the ship Rochester, commanded by captain Duff, who sent her into the Downs.

About the latter end of March, captain Falkner, in the ship Windsor, of sixty guns, cruising to the westward, discovered four large ships to leeward, which, when he approached them, formed the line of battle a-head, in order to give him a warm reception. He accordingly closed with the sternmost ship, which sustained his fire about an hour: then the other three bearing away with all the sail they could carry, she struck her colours, and was conducted to Lisbon. She proved to be the Duc de Chartres, pierced for sixty cannon, though at that time carrying no more than four and twenty, with a compliment of three hundred men, about thirty of which were killed in the action. She belonged, with the other three that escaped, to the French East India company, was loaded with gunpowder and naval stores, and bound for Pondicherry.

Captain Falkner makes prize of a French East Indiaman.

Two privateers, called Chasseur and Le Conquerant, the one from Dunkirk, and the other from Cherburgh, were taken and carried into Plymouth by captain Hughs, of his majesty's frigate the Tamer. A third, called the Dispatch, from Morlaix, was brought into Penzance by the Dili-

An. 1759. gence sloop, under the command of captain Eastwood. A fourth, called the Basque, from Bayonne, furnished with two and twenty guns, and above two hundred men, fell into the hands of captain Parker of the Brilliant, who conveyed her into Plymouth. Captain Antrobus, of the Surprise, took the Vieux, a privateer of Bourdeaux: and a fifth, from Dunkirk, struck to captain Knight, of the Liverpool, off Yarmouth.

In the month of May a French frigate, called the Arethusa, mounted with two and thirty cannon, manned with a large complement of hands, under the command of the marquis de Vaudreuil, submitted to two British frigates, the Venus and the Thames, commanded by the captains Harrison and Colby, after a warm engagement, in which sixty men were killed and wounded on the side of the enemy.

In the beginning of June an armed ship, belonging to Dunkirk, was brought into the Downs by captain Angel, of the Stag; and a privateer of force, called the Countess de la Serre, was subdued and taken, after an obstinate action, by captain Moore, of his majesty's ship the Adventure.

Prizes
made in
the West-
Indies.

Several armed ships of the enemy, and rich prizes, were taken in the West Indies; particularly two French frigates, and two Dutch ships with French commodities, all richely laden, by some of the ships of the squadron which vice-admiral Cotes commanded in the Jamaica station. A fifth, called the Velour, from St. Domingo, with a valuable cargo on board, being fortified with twenty cannon, and above one hundred men, fell in with the Favourite sloop of war, under the command of captain





tain Edwards, who, after an obstinate dispute, An. 1759. carried her in triumph to Gibraltar.

At St. Christopher's, in the West Indies, captain Collingwood, commander of the king's ship the *Crescent*, attacked two French frigates, the *Ame-thyste* and *Berkeley*; the former of which escaped, after a warm engagement, in which the *Crescent's* rigging was so much damaged, that she could not pursue: but the other was taken, and conveyed into the harbour of *Basse-terre*.

Notwithstanding the vigilance and courage of the English cruizers in those seas, the French privateers swarmed to such a degree, that, in the course of this year, they took above two hundred sail of British ships, valued at six hundred thousand pounds sterling. This their success is the more remarkable, as by this time the island of *Guadalupe* was in possession of the English, and commodore Moore commanded a numerous squadron in those very latitudes.

In the beginning of October, the *Hercules* ship of war, mounted with seventy-four guns, under the command of captain Porter, cruising in the chops of the Channel, descried to windward a large ship, which proved to be the *Florissant*, of the same force with the *Hercules*. Her commander, perceiving the English ship giving chase, did not seem to decline the action; but bore down upon her in a slanting direction, and the engagement began with great fury. In a little time, the *Hercules*, having lost her top-mast, and all her rigging being shot away, the enemy took advantage of this disaster, made the best of his way, and was pursued till eight o'clock next morning, when he escaped

Engage-
ment be-
tween the
Hercules
and the
Florissant.

An. 1759. behind the isle of Oleron. Captain Porter was wounded in the head with a grape shot, and lost the use of one leg in the engagement.

Havre de
Grace
bombard-
ed by
rear-ad-
miral
Rodney.

Having taken notice of all the remarkable captures and exploits that were made and atchieved by single ships, since the commencement of the present year, we shall now proceed to describe the actions that were performed in this period by the different squadrons that constituted the naval power of Great Britain. Intelligence having been received that the enemy meditated an invasion upon some of the British territories, and that a number of flat-bottomed boats were prepared at Havre de Grace, for the purpose of disembarking troops, rear-admiral Rodney was, in the beginning of July, detached with a small squadron of ships and bombs to annoy and overawe that part of the coast of France. He accordingly anchored in the road of Havre, and made a disposition to execute the instructions he had received. The bomb vessels being placed in the narrow channel of the river leading to Honfleur, began to throw their shells, and continued the bombardment for two and fifty hours, without intermission, during which a numerous body of French troops was employed in throwing up entrenchments, erecting new batteries, and firing both shot and shells upon the assailants. The town was set on fire in several places, and burned with great fury; some of the boats were overturned, and a few of them reduced to ashes, while the inhabitants forsook the place in the utmost consternation: nevertheless, the damage done to the enemy was too inconsiderable to make amends for the expence of the armament, and the loss

loss of nineteen hundred shells and eleven hundred carcasses, which were expended on this expedition. Bombardments of this kind are at best but expensive and unprofitable operations, and may be deemed a barbarous method of prosecuting war, inasmuch as the damage falls upon the wretched inhabitants, who have given no cause of offence, and who are generally spared by a humane enemy, unless they have committed some particular act of provocation.

The honour of the British flag was much more effectually asserted by the gallant admiral Boscawen, who, as we have already observed, was entrusted with the conduct of a squadron in the Mediterranean. It must be owned, however, that his first attempt favoured of temerity. Having in vain displayed the British flag in sight of Toulon, by way of defiance to the French fleet that there lay at anchor, he ordered three ships of the line, commanded by the captains Smith, Harland, and Barker, to advance and burn two ships that lay close to the mouth of the harbour. They accordingly approached with great intrepidity, and met with a very warm reception from divers batteries which they had not before perceived. Two small forts they attempted to destroy, and cannonaded for some time with great fury; but being overmatched by superior force, and the wind subsiding into a calm, they sustained considerable damage, and were towed off with great difficulty, in a very shattered condition. The admiral seeing three of his best ships so roughly handled in this enterprize, returned to Gibraltar in order to refit; and M. de

The squadron of M. De la Clue defeated by admiral Boscawen.

An. 1759. la Clue, the French commander of the squadron at Toulon, seized this opportunity of sailing, in hope of passing the Streights mouth unobserved, his fleet consisting of twelve large ships and three frigates. Admiral Boscawen, who commanded fourteen sail of the line, with two frigates, and as many fire-ships, having refitted his squadron, detached one frigate to cruise off Malaga, and another to hover between Estepona and Ceuta point; with a view to keep a good look out, and give timely notice in case the enemy should approach. On the seventeenth day of August, at eight in the evening, the Gibraltar frigate made a signal that fourteen sail appeared on the Barbary shore to the eastward of Ceuta; upon which the English admiral immediately heaved up his anchors and went to sea: at day-light he descried seven large ships lying to; but when the English squadron forebore to answer their signal, they discovered their mistake, set all their sails, and made the best of their way. This was the greater part of the French squadron commanded by Mr. de la Clue, from whom five of his large ships and three frigates had separated in the night. Even now perhaps he might have escaped, had he not been obliged to wait for the *Souveraine*, which was a heavy sailer. At noon the wind, which had blown a fresh gale, died away; and although admiral Boscawen had made signal to chace and engage in a line of battle a-head, it was not till half an hour after two that some of his headmost ships could close with the rear of the enemy; which though greatly outnumbered, fought with uncommon bravery: The English admiral, without waiting

ing to return the fire of the sternmost, which he received as he passed, used all his endeavours to come up with the Ocean, which Mr. de la Clue commanded in person; and about four o'clock in the afternoon running athwart her hawse, poured into her a furious broadside: thus the engagement began with equal vigour on both sides. This dispute however was of short duration; in about half an hour admiral Boscawen's mizen-mast and topsail-yards were shot away; and the enemy hoisted all the sail they could carry. Mr. Boscawen having shifted his flag from the Namur to the Newark, joined some other ships in attacking the Centaur of seventy-four cannon, which, being thus overpowered, was obliged to surrender. The British admiral pursued them all night, during which the Souveraine and the Guerrier altered their course, and deserted their commander. At day-break, Mr. de la Clue, whose left leg had been broke in the engagement, perceiving the English squadron crowding all their sails to come up with him, and finding himself on the coast of Portugal, determined to burn his ships rather than they should fall into the hands of the victors. The Ocean was run ashore two leagues from Lagos, near the fort of Almadana, the commander of which fired three shots at the English: another captain of the French squadron followed the example of his commander; and both endeavoured to disembark their men; but the sea being rough, this proved a very tedious and difficult attempt. The captains of the Temeraire and Modeste, instead of destroying their ships, anchored as near as they could to the forts Exavier and Lagres,
in

An. 1759. in hope of enjoying their protection; but in this hope they were disappointed. Mr. de la Clue had been landed, and the command of the Ocean was left to the Count de Carne, who having received one broadside from the America, struck his colours, and the English took possession of this noble prize, the best ship in the French navy, mounted with eighty cannon. Captain Bentley of the Warspight, who had remarkably signalized himself by his courage during the action of the preceding day, attacked the Temeraire of seventy-four guns, and brought her off with little damage. Vice-admiral Broderick, the second in command, advancing with his division, burned the Redoubtable of seventy-four guns, which was bulged, and abandoned by her men and officers; but they made prize of the Modeste, carrying sixty-four guns, which had not been much injured in the engagement. This victory was obtained by the English admiral at a very small expence of men; the whole number of the killed and wounded not exceeding two hundred and fifty on board of the British squadron; though the carnage among the enemy must have been much more considerable, as Mr. de la Clue, in his letter to the French ambassador at Lisbon, owns, that on board of his own ship the Ocean, one hundred men were killed on the spot, and seventy dangerously wounded: but the most severe circumstance of this disaster was the loss of four capital ships, two of which were destroyed, and the other two brought in triumph to England, to be numbered among the best bottoms of the British navy. What augmented the good fortune of the victors, was, that not one officer

officer lost his life in the engagement. Captain Bentley, whom the admiral dispatched to England, with the tidings of his success, met with a gracious reception from the king, who knighted him for his gallantry. An. 1759.

As we propose to throw together all the naval transactions of the year, especially those that happened in the European seas, that they may be comprehended as it were in one view; we must now, without regarding the order of time, postpone many previous events of importance, and record the last action by sea, that in the course of this year distinguished the flag of Great Britain. The court of Versailles, in order to embarrass the British ministry, and divert their attention from all external expeditions, had in the winter projected a plan for invading some part of the British dominions; and in the beginning of the year had actually begun to make preparations on different parts of their coast, for carrying this design into execution. Even as far back as the latter end of May, messages from the king to both houses of parliament, were delivered by the earl of Holderness and Mr. Pitt, the two secretaries of state, importing that his majesty had received advices of preparations making by the French court, with a design to invade Great Britain: that though persuaded by the universal zeal and affection of his people, any such attempt, must, under the blessing of God, end in the destruction of those who engaged in it; yet he apprehended he should not act consistent with that paternal care and concern which he had always shewn for the safety and preservation of his subjects, if he omitted any means in his power, which might be necessary for their

Preparations made by France for an invasion of Great Britain.

An. 1759. their defence : he therefore acquainted the parliament with his having received repeated intelligence of the enemy's preparations, to the end that his majesty might, if he should think proper, in pursuance of the late act of parliament, cause the militia, or such part thereof as should be necessary, to be drawn out and embodied, in order to march as occasion should require.

These messages were no sooner read, than each house separately resolved to present an address, thanking his majesty for having communicated this intelligence ; assuring him that they would with their lives and fortunes support him against all attempts whatever : that warmed with affection and zeal for his person and government, and animated by indignation at the daring designs of an enemy whose fleet had hitherto shunned the terror of the British navy, they would chearfully exert their utmost efforts to repel all insults, and effectually enable their sovereign, not only to disappoint the attempts of France, but, by the blessing of God, turn them to their own confusion. The commons at the same time resolved upon another address, desiring his majesty would give directions to his lieutenants of the several counties, ridings, and places within South Britain, to use their utmost diligence and attention in executing the several acts of parliament made for the better ordering the militia.

Account
of Thu-
rot.

These and other precautionary steps were accordingly taken ; but the administration wisely placed their chief dependence upon the strength of the navy, part of which was so divided and stationed, as to block up all the harbours of France, in which the enemy were known to make any naval armament

An. 1759.

ment of consequence. We have seen in what manner rear-admiral Rodney visited the town and harbour of Havre de Grace, and scoured that part of the coast in successive cruises: we have also recorded the expedition and victory of admiral Boscawen, over the squadron of La Clue, which was equipped at Toulon, with design to assist in the projected invasion. Notwithstanding this disaster, the French ministry persisted in their design; towards the execution of which, they had prepared another considerable fleet, at the harbours of Rochfort, Brest, and Port-Louis, to be commanded by Mr. de Conflans, and reinforced by a considerable body of troops, which were actually assembled under the Duc d'Aiguillon, at Vannes in Lower Bretagne. Flat-bottomed boats, and transports to be used in this expedition, were prepared in different ports on the coast of France; and a small squadron was equipped at Dunkirk, under the command of an enterprising adventurer called Thurot, who had in the course of the preceding year signalized his courage and conduct in a large privateer called the Belleisle, who had scoured the North Seas, taken a number of ships, and at one time maintained an obstinate battle against two English frigates, which were obliged to desist, after having received considerable damage.

This man's name became a terror to the merchants of Great Britain; for his valour was not more remarkable in battle than his conduct in eluding the pursuit of the British cruisers, who were successively detached in quest of him, through every part of the German Ocean and North Sea, as far as the island of Orkneys. It must likewise be owned
for

An. 1759. for the honour of human nature, that this bold mariner, though destitute of the advantages of birth and education, was remarkably distinguished by his generosity and compassion to those who had the misfortune to fall under his power; and that his deportment in every respect intitled him to a much more honourable rank in the service of his country. The court of Versailles were not insensible to his merit. He obtained a commission from the French king, and was veited with the command of the small armament now sitting out in the harbour of Dunkirk.

Squadrons stationed on the coast of France.

The British government, being apprised of all these particulars, took such measures to defeat the proposed invasion, as must have conveyed a very high idea of the power of Great Britain to those who considered, that, exclusive of the force opposed to this design, they at the same time carried on the most vigorous and important operations of war in Germany, America, the East and West Indies. Thurot's armament at Dunkirk was watched by an English squadron in the Downs, commanded by commodore Boys; the port of Havre was guarded by rear-admiral Rodney; Mr. Boscawen had been stationed off Toulon; and the coast of Vannes was scoured by a small squadron detached from Sir Edward Hawke, who had during the whole summer blocked up the harbour of Brest, where Conflans lay with his fleet, in order to be joined by the other divisions of the armament. These different squadrons of the British navy were connected by a chain of separate cruisers; so that the whole coast of France, from Dunkirk to the extremity

trémity of Bretagne were distressed by an actual blockade. An. 1759.

The French ministry being thus hampered, forbore their attempt upon Britain; and the projected invasion seemed to hang in suspense, till the month of August, in the beginning of which their army in Germany was defeated at Minden. Their designs in that country being baffled by this disaster, they seemed to convert their chief attention to their sea-armament; the preparations were resumed with redoubled vigour; and even after the defeat of La Clue, they resolved to try their fortune in a descent. They now proposed to disembark a body of troops in Ireland. Thurot received orders to sail from Dunkirk with the first opportunity, and shape his course round the northern parts of Scotland, that he might alarm the coast of Ireland, and make a diversion from that part where Conflans intended to effectuate the disembarkation of his forces. The transports and ships of war were assembled at Brest and Rochfort, having on board a train of artillery, with saddles, and other accoutrements for cavalry, to be mounted in Ireland. A body of French troops, including part of the Irish Brigade, was kept in readiness to embark; and the young pretender, having agreed to the terms proposed by France, remained in the neighbourhood of Vannes incognito, in order once more to hazard his person, and countenance a revolt in the dominions of Great Britain.

The execution of this scheme was, however, prevented by the vigilance of Sir Edward Hawke, who blocked up the harbour of Brest, with a fleet of twenty-three capital ships; while another squadron

Preparations on the coast of France.

The French fleet sails from Brest.

An. 1759. *dron* of smaller ships and frigates, under the command of captain Duff, continued to cruise along the French coast from Port L'Orient in Bretagne to the point of St. Gilles in Poitou. At length however, in the beginning of November, the British squadron commanded by Sir Edward Hawke, Sir Charles Hardy, and rear-admiral Geary, were driven from the coast of France by stress of weather, and on the ninth day of the month anchored in Torbay. The French admiral Conflans snatched this opportunity of sailing from Brest, with one and twenty-sail of the line and four frigates, in hope of being able to destroy the English squadron commanded by captain Duff, before the larger fleet could return from the coast of England. Sir Edward Hawke having received intelligence that the French fleet had sailed from Brest, immediately stood to sea, in order to pursue them; and in the mean time, the government issued orders for guarding all those parts of the coast that were thought the most exposed to a descent. The land forces were put in motion, and quartered along the shore in Kent and Sussex: all the ships of war in the different harbours, even those that had just arrived from America, were ordered to put to sea, and every step was taken to disconcert the designs of the enemy.

Sir Edward
Hawke
falls in
with the
French
admiral.

While these measures were taken with equal vigour and deliberation, Sir Edward Hawke steered his course directly for Quiberon, on the coast of Bretagne, which he supposed would be the rendezvous of the French squadron: but notwithstanding his utmost efforts, he was driven by a hard gale considerably to the westward, where he was joined by two frigates the Maidstone and Coventry. These
he

he directed to keep a-head of the squadron. The weather growing more moderate, the former made the signal for seeing a fleet, on the twentieth day of November, at half an hour past eight o'clock in the morning, and in an hour afterwards discovered them to be the enemy's squadron. They were at that time in chace of captain Duff's squadron, which now joined the large fleet, after having run some risque of being taken. Sir Edward Hawke, who, when the Maidstone gave the first notice, had formed the line a-breast, now perceiving that the French admiral endeavoured to escape with all the sail he could carry, threw out a signal for seven of his ships that were nearest the enemy to chace, and endeavour to detain them, until they could be reinforced by the rest of the squadron, which were ordered to form into a line of battle a-head, as they chaced, that no time might be lost in the pursuit. Considering the roughness of the weather, which was extremely tempestuous; the nature of the coast, which is in this place rendered very hazardous by a great number of sand-banks, shoals, rocks, and islands, as entirely unknown to the British sailors, as they were familiar to the French navigators; the dangers of a short day, dark night, and lee-shore; it required extraordinary resolution in the English admiral to attempt hostilities on this occasion: but Sir Edward Hawke, steeled with the integrity and fortitude of his own heart, animated by a warm love for his country, and well acquainted with the importance of the stake on which the safety of that country in a great measure depended, was resolved to run extraordinary risques in his endeavours to

An. 1759. trate at once a boasted scheme projected for the annoyance of his fellow-subjects. With respect to his ships of the line, he had but the advantage of one in point of number, and no superiority in men or metal, consequently Mr. de Conflans might have hazarded a fair battle on the open sea, without any imputation of temerity: but he thought proper to play a more artful game, though it did not succeed according to his expectation. He kept his fleet in a body, and retired close in shore, with a view to draw the English squadron among the shoals and islands, on which he hoped they would pay dear for their rashness and impetuosity, while he and his officers, who were perfectly acquainted with the navigation, could either stay, and take advantage of the disaster, or, if hard pressed, retire through channels unknown to the British pilots.

Over
whom he
obtains
a com-
plete vic-
tory.

At half an hour after two, the van of the English fleet began the engagement with the rear of the enemy, in the neighbourhood of Belleisle. Every ship as she advanced poured in a broad-side on the sternmost of the French, and bore down upon their van, leaving the rear to those that came after. Sir Edward Hawke, in the Royal George of one hundred and ten guns, reserved his fire in passing through the rear of the enemy, and ordered his master to bring him along-side of the French admiral, who commanded in person on board of the Soleil Royal, a ship mounted with eighty cannon, and provided with a complement of twelve hundred men. When the pilot remonstrated that he could not obey his command, without the most imminent risque of running upon a shoal,

shoal, the brave veteran replied, " You have done An. 1759. your duty in shewing the danger ; now you are to comply with my order, and lay me along-side the *Soleil Royal*." His wish was gratified : the *Royal George* ranged up with the French admiral. The *Thésée*, another large ship of the enemy, running up between the two commanders, sustained the fire that was reserved for the *Soleil Royal* ; but in returning the first broad-side foundered in consequence of the high sea that entered her lower deck-ports, and filled her with water. Notwithstanding the boisterous weather, a good number of ships on both sides fought with equal fury and dubious success, till about four in the afternoon, when the *Formidable* struck her colours. The *Superbe* shared the fate of the *Thésée* in going to the bottom. The *Heros* hauled down her colours in token of submission, and dropped anchor ; but the wind was so high, that no boat could be sent to take possession. By this time day-light began to fail, and the greater part of the French fleet escaped under cover of the darkness.

Night approaching, the wind blowing with augmented violence on a lee-shore, and the British squadron being intangled among unknown shoals and islands, Sir Edward Hawke made the signal for anchoring to the westward of the small island *Dumet* ; and here the fleet remained all night in a very dangerous riding, alarmed by the fury of the storm, and incessant firing of guns of distress, without their knowing whether it proceeded from friend or enemy. The *Soleil Royal* had, under favour of the night, anchored also in the midst of the British squadron ; but at day-break Mr. de Con-

An. 1759. flans ordered her cable to be cut, and she drove ashore to the westward of Crozie. The English admiral immediately made signal to the Essex to slip her cable, and pursue her; and, in obeying this order, she ran unfortunately on a sand bank, called Lefour, where the Resolution, another ship of the British squadron, was already grounded. Here they were both irrecoverably lost, in spite of all the assistance that could be given: but all their men, and part of their stores, were saved, and the wreck set on fire by order of the admiral. He likewise detached the Portland, Chatham, and Vengeance, to destroy the Soleil Royal, which was burned by her own people, before the English ships could approach; but they arrived time enough to reduce the Heros to ashes on the Lefour, where she had been also stranded; and the Juste, another of their great ships, perished in the mouth of the Loire.

The admiral perceiving seven large ships of the enemy riding at anchor between Point Penvas and the mouth of the river Vilaine, made the signal to weigh, in order to attack them; but the fury of the storm increased to such a degree, that he was obliged to remain at anchor, and even ordered the top-gallant-masts to be struck.

In the mean time, the French ships being lightened of their cannon, their officers took advantage of the flood, and a more moderate gale under the land, to enter the Vilaine, where they lay within half a mile of the entrance, protected by some occasional batteries erected on the shore, and by two large frigates, moored across the mouth of the harbour. Thus they were effectually secured from any attempts of small vessels; and as for large ships,

ships, there was not water sufficient to float them within fighting distance of the enemy. An. 1759.

On the whole, this battle, in which a very inconsiderable number of lives was lost, may be considered as one of the most perilous and important actions that ever happened in any war between the two nations: for it not only defeated the projected invasion, which had hung menacing so long over the apprehensions of Great Britain; but it gave the finishing blow to the naval power of France, which was totally disabled from undertaking any thing of consequence in the sequel *.

By this time, indeed, Thurot had escaped from Dunkirk, and directed his course to the North Sea, whither he was followed by commodore Boys, who nevertheless was disappointed in his pursuit; but the fate of that enterprising adventurer falls under the annals of the ensuing year, among the transactions of which it shall be recorded.

As for Sir Edward Hawke, he continued cruising off the coast of Bretagne for a considerable time after the victory he had obtained, taking particular care to block up the mouth of the river Vilaine, that the seven French ships might not escape, and

* During the present war, the English had already taken and destroyed twenty-seven French ships of the line, and thirty-one frigates; two of their great ships and four frigates perished; so that their whole loss, in this particular, amounted to sixty-four; whereas the loss of Great

Britain did not exceed seven sail of the line, and five frigates. It may be easily conceived how the French marine, at first greatly inferior to the naval power of Britain, must have been affected by this dreadful ballance to its prejudice.

An. 1759. join Mr. Conflans, who made shift to reach Rochfort with the shattered remains of his squadron. Indeed, this service became such a considerable object in the eyes of the British ministry, that a large fleet was maintained upon this coast, apparently for no other purpose, during a whole year; and, after all, the enemy eluded their vigilance.

Sir Edward Hawke, having undergone a long and dangerous conflict with tempestuous weather, was at length recalled, and presented to his sovereign, who gratified him with a considerable pension, for the courage and conduct he had so often and so long displayed in the service of his country; and his extraordinary merit was afterwards honoured with the approbation of the parliament.

The people of France were so dispirited by the defeat of their army at Minden, and the disaster of their squadron at Lagos, that the ministry of Versailles thought proper to conceal the extent of their last misfortune under a palliating detail published in the Gazette of Paris, as a letter from Mr. Conflans to the count de St. Florentin, secretary of the marine. In this partial misrepresentation their admiral was made to affirm, that the British fleet consisted of forty ships of the line of battle, besides frigates; that the Soleil Royal had obliged the Royal George to sheer off; that the seven ships, which retreated into the river Vilaine, had received very little damage, and would be soon repaired; and that, by the junction of Bomparr's squadron, he should be soon able to give a good account of the English admiral. These tumid assertions, so void of truth, are not to be imputed to an illiberal spirit

spirit of vain glory, so much as to a political design of extenuating the national calamity, and supporting the spirit of the people.

An. 1759.

Proceed-
ings of
the Irish
parlia-
ment.

The alarm of the French invasion, which was thus so happily frustrated, not only disturbed the quiet of Great Britain, but also diffused itself to the kingdom of Ireland, where it was productive of some public disorder. In the latter end of October the two houses of parliament, assembled at Dublin, received a formal message from the duke of Bedford, lord lieutenant of that kingdom, to the following effect: That, by a letter from the secretary of state, written by his majesty's express command, it appeared that France, far from resigning her plan of invasion, on account of the disaster that befel her Toulon squadron, was more and more confirmed in her purpose, and even instigated by despair itself, to attempt, at all hazards, the only resource she seemed to have left, for thwarting, by a diversion at home, the measures of England abroad, in prosecuting a war which hitherto opened, in all parts of the world, so unfavourable a prospect to the views of French ambition: that in case the body of French troops, amounting to eighteen thousand men, under the command of the duc d'Aiguillon, assembled at Vannes, where also a sufficient number of transports was prepared, should be able to elude the British squadron, Ireland would, in all probability, be one of their chief objects: his grace thought it therefore incumbent upon him, in a matter of such high importance to the welfare of that kingdom, to communicate this intelligence to the Irish parliament. He told them, his majesty would make no doubt but that the zeal

of

An. 1759. of his faithful protestant subjects in that kingdom, had been already sufficiently quickened by the repeated accounts received of the enemy's dangerous designs, and actual preparations made, at a vast expence, in order to invade the several parts of the British dominions. He gave them to understand, he had received his sovereign's commands to use his utmost endeavours to animate and excite his loyal people of Ireland to exert their well-known zeal and spirit in support of his majesty's government, and in defence of all that was dear to them, by timely preparation to resist and frustrate any attempts of the enemy to disturb the quiet, and shake the security of this kingdom: he therefore, in the strongest manner, recommended it to them to manifest, upon this occasion, that zeal for the present happy establishment, and that affection for his majesty's person and government, by which the parliament of that nation had been so often distinguished.

Immediately after this message was communicated, the house of commons unanimously resolved to present an address to the lord lieutenant, thanking his grace for the care and concern he had shewn for the safety of Ireland, in having imparted intelligence of so great importance; desiring him to make use of such means as should appear to him the most effectual for the security and defence of the kingdom; and assuring him, that the house would make good whatever expence should be necessarily incurred for that purpose.

This intimation, and the steps that were taken, in consequence of it, for the defence of Ireland, produced such apprehensions and distraction among the

the people of that kingdom, as had well nigh proved fatal to the public credit. In the first transports of popular fear, there was such an extraordinary run upon the banks of Dublin, that several considerable bankers were obliged to stop payment; and the circulation was in danger of being suddenly stagnated, when the lord lieutenant, the members of both houses of parliament, the lord mayor, aldermen, merchants, and principal traders of Dublin, engaged in an association to support public credit, by taking the notes of bankers in payment: a resolution which effectually answered the purpose intended.

Howsoever the court of Versailles might have flattered itself, that their invading army would in Ireland be joined by a great number of the natives, in all probability it would have been disappointed in this hope, had their purposed descent even been carried into execution; for no signs of disaffection to the reigning family appeared at this juncture. On the contrary, the wealthy individuals of the Romish persuasion offered to accommodate the government with large sums of money, in case of necessity, to support the present establishment against all its enemies; and the Roman catholicks of the city of Corke, in a body, presented an address to the lord lieutenant, expressing their loyalty in the warmest terms of assurance. After having congratulated his grace on the unparalleled successes which had attended his majesty's arms, and expressed their sense of the king's paternal tenderness for his kingdom of Ireland, they acknowledged, with the deepest sense of gratitude, that protection and indulgence they had enjoyed under his majesty's

Loyalty
of the ca-
tholicks
of Ire-
land.

An. 1759.

jeſty's mild and auſpicious reign. They profeſſed the warmeſt indignation at the threatened invaſion of the kingdom by an enemy, who, grown deſperate from repeated defeats, might poſſibly make that attempt as a laſt effort, vainly flattered with the imaginary hope of aſſiſtance in Ireland, from the former attachments of their deluded predecessors. They aſſured his grace, in the moſt ſolemn manner, that ſuch ſchemes were altogether inconfiſtent with their principles and intentions: that they would, to the utmoſt exertion of their abilities, with their lives and fortunes, join in the defence and ſupport of his majeſty's royal perſon and government againſt all invaders whatſoever: that they ſhould be always ready to concur in ſuch meaſures, and to act ſuch parts, in defence of the kingdom, in common with the reſt of his majeſty's ſubjects, as his grace in his great wiſdom ſhould be pleaſed to appoint; and think themſelves particularly happy to be under the direction and command of ſo known an aſſertor of liberty, ſuch an important and diſtinguiſhed governor. Finally, they expreſſed the moſt earneſt wiſh, that his majeſty's arms might be crowned with ſuch a continuance of ſucceſs, as ſhould enable him to defeat the devices of all his enemies, and obtain a ſpeedy and honourable peace.

This cordial addreſs, which was tranſmitted to the earl of Shannon, and by him preſented to the duke of Bedford, muſt have been very agreeable to the government at ſuch a critical conjuncture.

Dangerous inſurrection in Dublin.

Although no traces of diſaffection to his majeſty's family appeared on this trying occaſion, it muſt nevertheless be acknowledged that a ſpirit of diſſatiff.

satisfaction broke out with extraordinary violence among the populace of Dublin. The present lord l——t was not remarkably popular in his administration. He had bestowed one place of considerable importance upon a gentleman whose person was obnoxious to many people in that kingdom, and perhaps failed in that affability and condescension which a free and ferocious nation expects to find in the character of him to whose rule they are subjected. Whether the offence taken at his department had created enemies to his person, or the nation in general began to entertain doubts and jealousies of the government's designs; certain it is, great pains were taken to propagate a belief among the lower sort of people, that an union would soon be effected between Great Britain and Ireland; in which case this last kingdom would be deprived of its parliament and independency, and be subjected to the same taxes that are levied upon the people of England. This notion inflamed the populace to such a degree, that they assembled in a prodigious multitude, broke into the house of lords, insulted the peers, seated an old woman on the throne, and searched for the journals, which, had they been found, they would have committed to the flames. Not content with this outrage, they compelled the members of both houses whom they met in the streets to take an oath that they would never consent to such an union, or give any vote contrary to the true interest of Ireland. Divers coaches belonging to obnoxious persons were destroyed, and their horses killed; and a gibbet was erected for one gentleman in particular, who narrowly escaped the ungovernable rage of those riotous

An. 1759. otous insurgents. A body of horse and infantry were drawn out on this occasion, in order to overawe the multitude, which at night dispersed of itself. Next day addresses to the lord-lieutenant were agreed to by both houses of parliament, and a committee of inquiry appointed, that the ring-leaders of the tumult might be discovered and brought to condign punishment.

Alarm of
a descent
in Scot-
land.

When the ministry of England received the first advice, that Mr. Thurot had escaped from Dunkirk with a small squadron of armed ships, having on board a body of land-troops, designed for a private expedition on the coast of Scotland or Ireland, expresses were immediately dispatched to the commanding officers of the forces in North Britain, with orders to put the forts along the coast of that kingdom in the best posture of defence; and to hold every thing in readiness to repel the enemy in case they should attempt a descent. In consequence of these instructions, beacons were erected for the immediate communication of intelligence; places of rendezvous appointed for the regular troops and militia; and strict orders issued that no officer should absent himself from his duty, on any pretence whatever. The greatest encomium that can be given to the character of this partizan, is an account of the alarm which the sailing of his puny armament spread through the whole extent of such a powerful kingdom, whose fleets covered the ocean. Perhaps Thurot's career would have been sooner stopped, had commodore Boys been victualled for a longer cruise; but this commander was obliged to put in at Leith for a supply of provisions, at the very time when Thurot was seen

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seen hovering upon the coast near Aberdeen; and before the English Squadron was provided for a prosecution of the cruise, the other had taken shelter at Gottenburg in Sweden.

An. 1759.

Having finished the detail of the actions achieved in the European seas by the naval force of Great Britain, within the compass of the present year, we shall now proceed to record the exploits of the British arms within the tropics, and particularly the expedition to Martinique and Guadalupe, which is said to have succeeded even beyond the expectation of the ministry. A plan had been formed for improving the success of the preceding year in North America, by carrying the British arms up the river St. Laurence, and besieging Quebec, the capital of Canada. The armament employed against the French islands of Martinique and Guadalupe, constituted part of this design; inasmuch as the troops embarked on that expedition were, in case of a miscarriage at Martinique, intended to reinforce the British army in North America, which was justly considered as the chief seat of the war. What hope of success the administration conceived from an attempt upon Martinique, may be guessed from the state of that island, as it appeared in a memorial presented by the French king's lieutenants of its several districts, to the general of the French islands, in consequence of an order issued in November, for holding them in readiness to march and defend the island from the English, of whose design they were apprised. They represented, that the trade with the Dutch was become their sole dependance; that they could expect no succour from Europe, by which they had been abandoned
ever

State of
the island
of Marti-
nique.

AN. 1759. ever since the commencement of the war: that the traders vested with the privilege of trafficking among them, had abused the intention of the general, and, instead of being of service to the colony, had fixed an arbitrary price for all the provisions they brought in, as well as for the commodities which they exported, of consequence the former was valued at as high a price as their avarice could exact, and the latter sunk as low in value as their own selfish hearts could conceive: that the colony for two months had been destitute of all kinds of provision; the commodities of the planters lay upon their hands; and their negroes were in danger of perishing through hunger; a circumstance that excited the apprehension of the most dreadful consequences. As to slaves half-starved, all kinds of bondage were equal; and people reduced to such a situation were often driven to despair, seeking in anarchy and confusion a remedy from the evils by which they were oppressed: that the best provided of the inhabitants laboured under the want of the common necessities of life; and others had not so much as a grain of salt in their houses: that there was an irreparable scarcity of slaves to cultivate their lands; and the planters were reduced to the necessity of killing their cattle to support the lives of those who remained alive; so that the mills were no longer worked, and the inhabitants consumed beforehand what ought to be reserved for their sustenance, in case of being blocked up by the enemy. They desired, therefore, that the general would suppress the permissions granted to particular merchants, and admit neutral vessels freely into their ports, that they might trade with the colonists unmolested

An. 1759.

molested and unrestrained. They observed, that the citadel of Port Royal seemed the principal object on which the safety and defence of the country depended; as the loss of it would be necessarily attended with the reduction of the whole island: they therefore advised that this fort should be properly provided with every thing necessary for its safety and defence; and that magazines of provision as well as ammunition should be established in different quarters of the island.

This remonstrance plainly proves that the island was wholly unprepared to repel the meditated invasion, and justifies the plan adopted by the ministry of Great Britain. The regular troops of Martinique consisted of about twenty independent companies greatly defective in point of number. The militia was composed of burghers and planters distressed and dissatisfied, mingled with a parcel of wretched negroe slaves, groaning under the most intolerable misery, from whence they could have no hope of deliverance but by a speedy change of masters; their magazines were empty, and their fortifications out of repair.

Such were the state of Martinique, when the inhabitants every day expected a visit from the British armament, whose progress we shall now relate. On the twelfth day of November, in the preceding year, captain Hughes sailed from St. Helen's, with eight sail of the line, one frigate, four bomb-ketches, and a fleet of transports, having on board six regiments of infantry, and a detachment of artillery, besides eight hundred marines distributed among the ships of war, this whole force being under the command of major-general Hopson, an

Captain
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n. 1759. old experienced officer, assisted by major-general Barrington, the colonels Armiger and Haldane, the lieutenant-colonels Trapaud and Clavering, acting in the capacity of brigadiers. After a voyage of seven weeks and three days, the fleet arrived at Barbadoes, and anchored in Carlisle-bay, where they joined commodore Moore, who now assumed the command of the united squadrons, amounting to ten ships of the line, besides frigates and bomb-ketches.

Five days were employed in supplying the fleet with wood and water, in reviews, re-embarkations, councils of war, assemblies of the council belonging to the island, in issuing proclamations, and beating up for volunteers. At length every great ship being reinforced with forty negroes, to be employed in drawing the artillery; and the troops, which did not exceed five thousand men, being joined by two hundred Highlanders, belonging to the second battalion of the regiment commanded by lord John Murray in North America, who were brought as recruits from Scotland, under convoy of the ship Ludlow-castle, the whole armament sailed from Carlisle-bay on the thirteenth day of January: but by this time the troops, unaccustomed to a hot climate, were considerably weakened and reduced by fevers, diarrhæas, the scurvy, and the small-pox; which last disease had unhappily broke out among the transports. Next morning the squadron discovered the island of Martinique, which was the place of its destination, lying in the latitude of fourteen degrees thirty minutes north, extending about thirteen leagues in length, and seven in breadth, waved into a variety of hills, well

The armament fails to Martinique.

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watered with streams and rivulets, extremely fertile in its soil, which produces sugar, cotton, ginger, and Indigo; indented with commodious bays, of which the most considerable is the great bay of Port Royal, the capital of the island, seven miles long, and in some places five miles over. Martinique is still more considerable by its central situation in the midst of the Caribbees, by its natural strength, the number of inhabitants, and the advantages it derived from being the seat of government and staple of trade, from whence even the sugars of Guadalupe, and other islands, were exported for the European markets. The chief fortification of Martinique was the citadel of Port Royal, a regular fort, garrisoned by four companies that did not exceed the number of one hundred and fifty men, thirty-six bombardiers, eighty Swiss, and fourteen officers. One hundred barrels of beef constituted their whole store of provision; but they were destitute of all other necessaries. They were almost wholly unprovided with water in the cisterns, with spare carriages for the cannon, match, wadding, and langrage: they had but a small stock of other ammunition, and the walls were in many parts decayed. The only preparations they had made for receiving the English, were some paultry intrenchments thrown up at St. Pierre, and a place called Casenavire, where they imagined the descent would probably be attempted. On the fifteenth day of the month the British Squadron entered the great bay of Port Royal, some of the ships being exposed to the shot of a battery erected on the Isle de Raniers, a little island about half way up the bay. At their first

An. 1759. appearance, the *Florissant*, of seventy-four guns, which had been so roughly handled by capt. Tyrrel in the *Buckingham*, then lying under the guns of Fort Negro, along with two frigates, turned up under the Citadel, and came to anchor in the *Carénage*, behind the fortification. The two frigates, under favour of the night, made their escape through the transports, and directed their course for Europe; where one of them, called the *Vestal*, was taken by captain Hood, as we have already related.

Descent
upon
Marti-
nique.

Next day three ships of the line were ordered to attack Fort Negro, a battery at the distance of three miles from the Citadel, which, being mounted with seven guns only, was soon silenced, and immediately possessed by a detachment of marines and sailors; who, being landed in flat bottomed boats, clambered up the rock, and entered through the embrasures with their bayonets fixed: here, however, they met with no resistance. The enemy had abandoned the fort with precipitation. The British colours were immediately hoisted, and centinels of marines posted upon the parapet. Their next care was to spike and disable the cannon, break the carriages, and destroy the powder which they found in the magazine: nevertheless the detachment was ordered to keep possession of the battery.

This service being successfully performed, three ships were sent to reduce the other battery at *Casnavire*, which consisted only of four guns, and these were soon rendered unserviceable.

The French troops, reinforced with militia, which had been detached from the Citadel to oppose

pose the disembarkation, perceiving the whole British Squadron and all the transports already within the bay, and Fort Negro occupied by the marines, retired to Port Royal, leaving the beach open; so that the English troops were landed without opposition, and, being formed, advanced into the country towards Fort Negro, in the neighbourhood of which they lay all night upon their arms; while the fleet, which had been galled by bomb-shells from the Citadel, shifted their station, and stood farther up the bay.

By ten next day the English officers had brought up some field pieces to an eminence, and scoured the woods, from whence the troops had been greatly annoyed by the small shot of the enemy during the best part of the night, and all that morning. At noon the British forces advanced, in order, towards the hill that overlooked the town and citadel of Port Royal, and sustained a troublesome fire from enemies they could not see; for the French militia were intirely covered by the woods and bushes. This eminence, called the Morne Tortueson, though the most important post of the whole island, was neglected by the general of Martinique, who had also resolved to blow up the fortifications of the Citadel; but, luckily for the islanders, he had not prepared the materials for this operation, which must have been attended with the immediate reduction of the capital, and indeed of the whole country. Some of the inferior officers, knowing the importance of the Morne Tortueson, resolved to defend that post with a body of the militia, which was reinforced by the garrisons of Fort Negro and Casnavire, as well as by some soldiers

An. 1759. detached from the Florissant: but notwithstanding all their endeavours, as they were intirely unprovided with cannon, extremely defective in point of discipline, dispirited by the pusillanimity of their governor, and in a great measure disconcerted by the general consternation that prevailed among the inhabitants, in all probability they could not have withstood a spirited and well-conducted attack by regular forces. About two o'clock general Hopson thought proper to desist from his attempt. He gave the commodore to understand, that he could not maintain his ground, unless the Squadron would supply him with heavy cannon, landed near the town of Port Royal, or assist him in attacking the Citadel by sea, while he should make his approaches by land. Both these expedients being deemed impracticable by a council of war, the troops were recalled from their advanced posts, and reimarked in the evening, without any considerable molestation from the enemy. Their attempt on the Morne Tortueson had cost them about seventy men, including two officers, killed or wounded in the attack; and in revenge for this loss, they burned the sugar-canes, and desolated the country, in their retreat. The inhabitants of Martinique could hardly credit the testimony of their own senses, when they saw themselves thus delivered from all their fears, at a time when they were overwhelmed with terror and confusion; when the principal individuals among them had resigned all thought of further resistance, and were actually assembled at the public hall in Port Royal, to send deputies to the English general with proposals of capitulation and surrender.

The
troops
are reim-
arked.

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The majority of the British officers who constituted the council of war, having given their opinion, that it might be for his majesty's service to make an attack upon St. Pierre, the fleet proceeded to that part of the island, and entered the bay on the nineteenth. The commodore told the general, that he made no doubt of being able to reduce the town of St. Pierre; but, as the ships might be disabled in the attack, so as not to be in a condition to proceed immediately on any other material service; as the troops might also be reduced in their numbers, so as to be incapable of future attacks; and as the reduction of the island of Guadalupe would be of great benefit to the sugar-colonies, Mr. Moore proposed that the armament should immediately proceed to this island; and the general agreed to the proposal.

Another attempt upon St. Pierre.

The reasons produced on this occasion, are, we apprehend, such as may be urged against every operation of war. Certain it is, no conquest can be attempted, either by sea or land, without exposing the ships and troops to a possibility of being disabled and diminished; and the same possibility militated as strongly against an attempt upon Guadalupe, as it could possibly discourage the attack of St. Pierre. Besides, Martinique was an object of greater importance than Guadalupe; as being the principal place possessed by the French in those seas, and that to which the operations of the armament were expressly limited by the instructions received from the m——y.

St. Pierre is a place of considerable commerce; and at this very juncture, above forty sail of mer-

An. 1759. chant-ships lay at anchor in the bay. The town is defended by a citadel regularly fortified, but at present poorly garrisoned; and so situated as to be accessible to the fire of the whole squadron: for the shore was bold, and the water sufficient to float any ship of the line. Before the resolution of proceeding to Guadalupe was taken, the commodore had ordered the bay to be sounded, and directed the Rippon to advance, and silence a battery situated a mile and a half to the northward of St. Pierre. Accordingly captain Harman, who commanded that ship, stood in, and anchoring close to the shore, attacked it with such impetuosity, that in a few minutes it was abandoned. At the same time the Rippon was exposed to the fire of three other batteries, from which she received considerable damage both in her hull and rigging; and was in great danger of running aground, when orders were given to tow her out of danger.

The
fleet
sails to
Guada-
lupe.

The whole armament having abandoned the design on Martinique, directed their course to Guadalupe, another of the Caribbee islands, lying at the distance of thirty leagues to the westward, about fifteen leagues in length, and twelve in breadth; divided into two parts by a small channel, which the inhabitants cross in a ferry-boat. The western division is known by the name of Basseterre; and here the metropolis stands, defended by the citadel and other fortifications. The eastern part called Grand-terre, is destitute of fresh water, which abounds in the other division, and is defended by Fort Louis, with a redoubt, which commands the road in the district of Gosier. The gut,
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or canal that separates the two parts, is distinguished by the appellation of the Salt River, having a road or bay at each end; namely, the great Cul de Sac, and the small Cul de Sac. Guadalupe is incumbered with high mountains and precipices, to which the inhabitants used to convey their valaubale effects in time of danger: but here are also beautiful plains, watered by brooks and rivers, which fertilize the soil, enabling it to produce a great quantity of sugar, cotton, indigo, tobacco, and cassia; besides plenty of rice, potatoes, all kinds of pulse and fruit peculiar to the island. The country is populous and flourishing, and the government comprehends two smaller islands, called All Saints, and Deseada, which appear at a small distance from the coast, on the eastern side of the island.

The British squadron having arrived at Basse-terre, a council of war was held on board of the commodore's ship; where it was resolved to make a general attack by sea, upon the citadel, the town, and other batteries by which it was defended. A disposition being made for this purpose, the large ships took their respective stations next morning, which was the twenty-third day of January. At nine, the Lyon, commanded by captain Trelawney, began the engagement against a battery of ninety guns; and the rest of the fleet continued to place themselves a-breast of the other batteries and the citadel, which mounted forty-six cannon, besides two mortars. The action in a little time became general, and was maintained on both sides for several hours with great vivacity; while the commodore, who

The town, citadel, and batteries at Basse-terre, cannonaded.

An. 1759. who had shifted his flag into the Wolwich frigate, kept aloof without gun-shot, that he might be the more disengaged to view the state of the battle, and give his orders with the greater deliberation.

This expedient of an admiral's removing his flag, and retiring from the action while his own ship is engaged, howsoever consonant to reason, we do not remember to have seen practised upon any other occasion, except in one instance at Carthage, where Sir Chaloner Ogle quitted his own ship, when she was ordered to stand in and cannonade the fort of Bocca Chica.

In this present attack, all the sea commanders behaved with extraordinary spirit and resolution, particularly the captains Leslie, Burnet, Gayton, Jekyl, Trelawney, and Shuldham; who, in the hottest tumult of the action, distinguished themselves equally by their courage, impetuosity, and deliberation. About five in the afternoon, the fire of the citadel was exhausted. The Burford and Berwick were driven out to sea; so that captain Shuldham in the Panther was unsustained; and two batteries played upon the Rippon, captain Jekyl, who, by two in the afternoon, silenced the guns of one called the Morne-rouge; but at the same time could not prevent his ship from running a-ground. The enemy perceiving her disaster, assembled in great numbers on the hill, and lined the trenches, from whence they poured in a severe fire of musquetry. The militia afterwards brought up a cannon of eighteen pound ball; and for two hours raked her fore and aft with considerable effect: nevertheless, captain Jekyl returned the fire with
equal

equal courage and perseverance, though his people dropt on every side, until all his grape-shot and wadding was expended, and all his rigging cut to pieces: to crown his misfortune, a box containing nine hundred cartridges, blew up on the poop, and set the ship on fire; which, however, was soon extinguished. In the mean time, the captain threw out a signal of distress; to which no regard was payed, till captain Leslie of the Bristol coming from sea, and observing his situation, ran in between the Rippon and the battery; and engaged with such impetuosity, as made an immediate diversion in favour of captain Jekyl, whose ship remained aground, notwithstanding all the assistance that could be given, till mid-night, when she floated, and escaped from the very jaws of destruction. At seven in the evening, all the other large ships having silenced the guns to which they had been respectively opposed, he joined the rest of the fleet. The four bombs being anchored near the shore, began to ply the town with shells and carcasses; so that in a little time the houses were in flames, the magazines of gunpowder blew up with the most terrible explosion; and about ten o'clock the whole place blazed out one general conflagration.

Next day at two in the afternoon, the fleet came to an anchor in the road of Basse-terre, where they found the hulls of divers ships which the enemy had set on fire at their approach: several ships turned out and endeavoured to escape, but were intercepted and taken by the English squadron. At five the troops landed without opposition, and took possession of the town and citadel, which they found

The
troops
land.

found intirely abandoned. They learned from a Genoese deserter, that the regular troops of the island consisted of five companies only, the number of the whole not exceeding one hundred men; and that they had laid a train to blow up the powder magazine in the citadel; but had been obliged to retreat with such precipitation, as did not permit them to execute this design. The train was immediately cut off, and the magazine secured. The nails with which they had spiked up their cannon were drilled out by the matrosses; and in the mean time, the British colours were hoisted on the parapet. Part of the troops took possession of an advantageous post on an eminence, and part entered the town, which still continued burning with great violence.

Governor
of Guada-
lupe re-
fuses to
capitu-
late.

In the morning, at day-break, the enemy appeared, to the number of two thousand, about four miles from the town, and began to throw up intrenchments in the neighbourhood of a house where the governor had fixed his head-quarters, declaring he would maintain his ground to the last extremity. To this resolution indeed he was encouraged by the nature of the ground, and the neighbourhood of a pass called the Dos d'Ane, a cleft through a mountainous ridge, opening a communication with Capesterre, a more level and beautiful part of the island. The ascent from Basse-terre to this pass was so very steep, and the way so broken and interrupted by rocks and gullies, that there was no prospect of attacking it with success, except at the first landing, when the inhabitants were under the dominion of a panic. They very soon recovered their spirits and recollection, assembled and forti-

fied

sied themselves among the hills, armed and arrayed their negroes, and affected to hold the invaders at defiance. A flag of truce being sent with offers of terms to their governor, the chevalier d' Etreil, he rejected them in a letter, with which his subsequent conduct but ill agreed *. Indeed from the beginning his deportment had been such as gave a very unfavourable impression of his character. When the British squadron advanced to the attack, instead of visiting in person the citadel and the batteries, in order to encourage and animate his people by his exhortation and example,

* The letter was to this effect.

To their excellencies Mess. Hopson and Moore, general officers of his Britannic Majesty, at Basse-terre.

" Gentlemen,

I have received the letter which your excellencies have done me the honour to write of the twenty-fifth. You make me proposals which could arise from nothing but the facility with which you have got possession of the little town and citadel of Basse-terre; for otherwise you ought to do me the justice to believe they could not be received. You have strength sufficient to subdue the exteriors of the island; but with respect to the interiors, the match between us is equal. As to the consequences that may attend my refusal, I am

persuaded they will be no other than such as are prescribed by the laws of war. Should we be disappointed in this particular, we have a master powerful enough to revenge any injury we may sustain. I am with respect, gentlemen, your most obedient servant,

Nadau D'Etreil."

It is pretty remarkable, that the apprehension of cruel usage from the English, who are undoubtedly the most generous and humane enemies under the sun, not only prevailed among the common French soldiery throughout this whole war, but even infected officers of distinction, who ought to have been exempted from these prejudices, by a better acquaintance with life, and a more liberal turn of thinking.

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An. 1759. he retired out of the reach of danger to a distant plantation, where he remained a tame spectator of the destruction in which his principal town and citadel were involved. Next morning, when he ought to have exerted himself in preventing the disembarkation of the English troops, who had a difficult shore and violent surf to surmount, and when he might have defended the intrenchments and lines which had been made to oppose their landing; he abandoned all these advantages, and took shelter among the mountains that were deemed inaccessible.

Skirmishes
with the
islanders.

But howsoever deficient the governor might have been in the article of courage, certain it is the inhabitants behaved with great spirit and activity in defence of their country. They continually harassed the scouring detachments, by firing upon them from woods and sugar plantations, which last the English burned about their ears in resentment. Their armed negroes were very expert in this kind of bush-fighting. The natives or militia appeared in considerable parties, and even encountered detached bodies of the British army. A lady of masculine courage, whose name was Ducharmey, having armed her slaves, headed them in person, made several bold attempts upon an advanced post, occupied by major Melville, and threw up entrenchments upon a hill opposite to the station of this officer, who had all along signalized himself by his uncommon intrepidity, vigilance, and conduct. At length the works of this virago were stormed by a regular detachment, which, after an obstinate and dangerous conflict, entered the intrenchment sword in hand, and burned the houses and

plan-

plantations ; but the lady, who commanded in person during the action, escaped with some difficulty. Some of the enemy were killed, and a good number taken : of the English detachment twelve soldiers were slain, and thirty wounded, including three subaltern officers, one of whom lost his arm. The greatest body of the enemy always appeared at the governor's head-quarters, where they had raised a redoubt, and thrown up intrenchments. From these a considerable detachment advanced on the sixth day of February, in the morning, towards the citadel, and fell in with an English party, whom they engaged with great vivacity; but after a short, though warm dispute, they were obliged to retire with some loss. Without all doubt the inhabitants of Guadalupe pursued the most sensible plan that could possibly have been projected for their own safety. Instead of hazarding a general engagement with regular troops, in which they could have no prospect of success, they resolved to weary them out, by maintaining a kind of petty war in separate parties, to alarm and harass the English with hard duty in a sultry climate, where they were but indifferently supplied with provision and refreshment. Nor were their hopes in this particular disappointed. Both the army and navy were invaded with fevers and other diseases epidemical in those hot countries ; and the regimental hospitals were so crowded, that it was judged convenient to send five hundred sick men to the island of Antigua, where they might be properly attended.

In the mean time, the reduction of the islanders on the side of Guadalupe appearing more and more im-

An. 1759. impracticable, the general resolved to transfer the seat of war to the eastern and more fertile part of the island, called Grand-terre, which, as we have already observed, was defended by a strong battery, called Fort Louis. In pursuance of this determination, the great ships were sent round to Grand-terre, in order to reduce this fortification, which they accordingly attacked on the thirteenth day of February. After a severe cannonading, which lasted six hours, a body of marines being landed, with the highlanders, they drove the enemy from their intrenchments sword in hand, and, taking possession of the fort, hoisted the English colours.

Fort
Louis re-
duced.

In a few days after this exploit, general Hopson dying at Bassè-terre, the chief command devolved to general Barrington, who resolved to prosecute the final reduction of the island with vigour and dispatch. As one step towards this conquest, the commodore ordered two ships of war to cruize off the island of St. Eustatia, and prevent the Dutch traders from assisting the natives of Guadalupe, whom they had hitherto constantly supplied with provisions, since they retired to the mountains. General Barrington, on the very first day of his command, ordered the troops, who were encamped, to strike their tents and huts, that the enemy might imagine he intended to remain in this quarter, but in a few days, the batteries in and about Bassè-terre were blown up and destroyed, the detachments recalled from the advanced posts, and the whole army reembarked, except one regiment, with a detachment of artillery, left in garrison at the citadel; the command of which was bestowed on colonel Debrisay, an accomplished officer of great
expe-

The
troops re-
imbarked
at Bassè-
terre.

experience. The enemy no sooner perceived the coast clear than they descended from the hills, and endeavoured to take possession of the town, from which however they were driven by the fire of the citadel. They afterwards erected a battery; from whence they annoyed this fortification both with shot and shells; and even threatened a regular attack; but, as often as they approached the place, they were repulsed by sallies from the castle. In the midst of these hostilities, the gallant Debrisay, together with major Trollop, one lieutenant, two bombardiers, and several common soldiers, were blown up, and perished by the explosion of a powder magazine at the flanked angle of the south-east bastion. The confusion necessarily produced by such an unfortunate accident, encouraged the enemy to come pouring down from the hills, in order to make their advantage of the disaster; but they were soon repulsed by the fire of the garrison. The general, being made acquainted with the fate of colonel Debrisay, conferred the government of the fort upon major Melvil, and sent thither the chief engineer to repair and improve the fortifications.

An. 1759.

Fate of
col. De-
brisay.

In the mean time, commodore Moore having received certain intelligence that mons. de Bompart had arrived at Martinique with a squadron, consisting of eight sail of the line and three frigates, having on board a whole battalion of Swiss, and some other troops, to reinforce the garrisons of the islands, he called in his cruisers, and sailed immediately to the bay of Dominique, an island to the windward, at the distance of nine leagues from Guadalupe, whence he could always sail to oppose

The
squadron
sails to
Dominica
que,

An. 1759. any designs which the French commander might form against the operations of the British armaments. For what reason Mr. Moore did not sail immediately to the bay of Port Royal in Martinique, where he knew the French squadron lay at anchor, we shall not pretend to determine. Had he taken that step, Mr. Bompert must either have given him battle, or retired into the Carenage, behind the Citadel; in which last case, the English commander might have anchored between Pidgeon-island and Fort Negro, and thus blocked him up effectually. By retiring to Dominique, he left the sea open to French privateers, who roved along the coasts of these islands, and in a very little time carried into Martinique above fourscore merchant-ships belonging to the subjects of Great Britain. These continual depredations, committed under the nose of the E --- c --- e, irritated the planters of the English islands, some of whom are said to have circulated unfavourable reports of that gentleman's character.

General Barrington, being left with no more than one ship of forty guns for the protection of the transports, formed a plan of prosecuting the war in Guadalupe by detachments, and the success fully answered his expectation. He determined to make a descent on the division of the island called Grande-terre, and for that purpose allotted six hundred men; who, under the command of colonel Crump, landed between the towns of St. Anne and St. Francois, and destroyed some batteries of the enemy, from whom he sustained very little opposition. While he was thus employed, a detachment of three hundred men attacked the town of

Gosier,

Gosier, which, notwithstanding a severe fire, they took by storm, drove the garrison into the woods, set fire to the place, and demolished the battery and intrenchment raised for its defence. An. 1759

This service being happily performed, the detachment was ordered to force their way to Fort Louis, while the garrison of that castle was directed to make two sallies, in order to favour their irruption. They accordingly penetrated with some loss, sustained in forcing a strong pass, and took possession of a battery, which the enemy had raised against the English camp, in the neighbourhood of Fort Louis.

The general, having hitherto succeeded in his designs, formed the scheme of surprising at one time the three towns of Petit-bourg, Gonoyave, and St. Mary, situated on the Basse-terre side of the little Cul de Sac, and committed the execution of it to the colonels Crump and Clavering: but the night appointed for the service proved exceeding dark and tempestuous, and the Negro conductors were so frightened, that they ran several of the flat-bottomed boats on the shoals that skirt this part of the island. Colonel Clavering landed with about eighty men; but found himself so entangled with mangrove trees, and the mud so impassably deep, that he was obliged to reembark, though not before the enemy had discovered his design.

This project having miscarried, the general detached the same commanders, whose gallantry and conduct cannot be sufficiently applauded, with a detachment of fifteen hundred men, including one hundred and fifty volunteers from Antigua, to land in a bay not far from the town of Arnouville, at the

An. 1759. bottom of the little Cul de Sac, under the protection of his majesty's ship the Woolwich. The enemy made no opposition to their landing; but retreated, as the English advanced, to a strong intrenchment thrown up behind the river Lecorne, a post of the utmost importance, as it covered the whole country as far as the bay Mahaut, where provisions and supplies of all sorts were landed from St. Eustatia. The river was rendered inaccessible by a morass, covered with mangroves, except at two narrow passes, which they had fortified with a redoubt, and intrenchments well pallisaded, mounted with cannon, and defended by a numerous militia: besides, the narrow roads, through which only they could be attacked, were intersected with deep and wide ditches. Notwithstanding these disadvantages, the English commanders determined to hazard an assault. While four field-pieces and two howitzers maintained a constant fire upon the top of the intrenchments, the regiment of Duroure and the Highlanders advanced under this cover, firing by platoons with the utmost regularity. The enemy, intimidated by their cool and resolute behaviour, began to abandon the first intrenchment on the left. Then the Highlanders, drawing their swords, and sustained by part of the regiment, threw themselves in with their usual impetuosity, and followed the fugitives pell-mell into the redoubt, of which they took possession: but they still maintained their ground within the intrenchments on the right, from whence they annoyed the assailants both with musquetry and cannon. In half an hour, an occasional bridge being made, the English troops passed the river, in order to attack
this

The English storm the difficult post of Lecorne.

Ar. 1759

this post, which the enemy abandoned with precipitation: notwithstanding all their haste, however, about seventy were taken prisoners, and among these some of the most considerable inhabitants of the island. This advantage cost the English two officers and thirteen men killed, and above fifty wounded.

The roads being mended for the passage of the artillery, the troops advanced towards Petit-bourg, harrassed in their march by flying bodies of the enemy, and arrived late at night on the banks of the river Lizarde, the only ford of which the French had fortified with strong intrenchments, protected by a battery of four cannon, erected on a rising ground in the rear. Colonel Clavering, while he amused them all night at this place by a constant fire into their lines, transported in two canoes, which he launched about a mile and a half farther down the river, a sufficient number of troops, by day-break, to attack them on the other side in flank, while he should advance in front at the head of his little army; but they did not think proper to sustain the assault. On the contrary, they no sooner perceived his intention than they forsook the post, and fled without order. Colonel Clavering, having passed the river, pursued them to Petit-bourg, which they had also fortified; and here he found captain Uvedale, of the Grenada bomb-ketch, throwing shells into the redoubt. He forthwith sent detachments to occupy the neighbouring heights; a circumstance which the enemy no sooner observed than they deserted the place, and retired with great expedition. On the fifteenth day of April captain Steel destroyed a bat-

They take
Petit-
bourg,
and St.
Mary's.

An. 1759. tery at Guoyave, a strong post, which, though it might have been defended against an army, the French abandoned at his approach, after having made a hasty discharge of their artillery. At the same time colonel Crump was detached with seven hundred men to the bay of Mahaut, where he burned the town and batteries, which he found abandoned, together with a vast quantity of provisions, which had been brought from the island of St. Eustatia. Colonel Clavering, having left a small garrison at Petit-bourg, began his march on the twentieth day of the month towards St. Mary's, where he understood the enemy had collected their whole force, thrown up intrenchments, and raised barricadoes; but they had left their rear unguarded. The English commander immediately detached colonel Barlow with a body of troops to attack them from that quarter, while he himself advanced against the front of their intrenchment. They stood but one cannon-shot, and fled to their lines and batteries at St. Mary's, the flanks of which were covered with woods and precipices. When they perceived the English troops endeavouring to surmount these difficulties, and turn their lines, they quitted them, in order to oppose the design; and were immediately attacked with such vivacity, in the face of a severe fire of musquetry and cannon, that they abandoned their ground, and fled in the utmost confusion, leaving the field and all their artillery to the victors, who took up their quarters for the night at St. Mary's.

Next day they entered the charming country of Capesterre, where eight hundred and seventy Negroes belonging to one planter, surrendered at
dis-

discretion. Here colonel Clavering was met by An.1759: messieurs de Clainvilliers and Duqueruy, deputed by the principal inhabitants of the island, to know what capitulation would be granted. These he conducted to Petit bourg, where they were presented to general Barrington, who considering the absence of the fleet, the small number of his forces, daily diminishing, the difficulty of the country, and the possibility of the enemy's being reinforced from Martinique, wisely took the advantage of their present panic, and settled the terms of * capitulation without delay. The sanity of this resolution

* *Articles of Capitulation between their Excellencies the Hon. Major-General Barrington, and John Moore, Esq; Commanders in Chief of his Britannic Majesty's Land and Sea forces in these Seas, and M. Nadau Dutreil, Governor for his Most Christian Majesty, of Guadaloupe, Grande Terre, Desseaux, and the Saintes.*

Art. I. We the governor, staff and other officers, of the regular troops, shall march out of our posts, with one mortar, two field-pieces of brass cannon, with ten rounds for each piece, arms, baggage, and the honours of war. Granted, except the mortar; and as for the cannon we will allow only four rounds for each piece: and on condition that the troops of his Britannic majesty shall take possession of the different posts at the three rivers, and the hospital to-morrow morning, the second of May, at eight o'clock; and that all magazines of provisions, ammunition, and implements of war,

as well as all papers relating to the revenue, be delivered into the possession of a commissary to be named by us for that purpose.

II. That we shall be sent to Martinico, in a good vessel, well provided, and by the shortest passage. Granted.

III. That the commissary-general, officers of justice, admiralty, and all such as have the king's commission, shall likewise be sent to Martinico in a good vessel, and well provided, and by the shortest passage. Granted only for the commissary-general, and to the officers of the admiralty, and refused to the others.

An. 1759. lution soon appeared. The inhabitants had just signed the agreement, when a messenger arrived in

IV. That the staff and other officers shall have leave to take with them their wives and children to Martinico; and shall have a good vessel well provided to carry them by the shortest passage. Granted.

V. That the staff and other officers shall have the same number of servants granted them, as were allowed by the most christian king, viz. To the governor 24; to the commissary-general 24; to the lieutenant-governor 18; to the fort-major 15; to the captains 12 each; to the lieutenants eight each; and to the ensigns six each. Granted.

VI. That it shall be allowed to all the officers who have estates in this colony (except me the governor, unless the king permits me also) to appoint attornies to act for them until the peace; and if the island is not then ceded, the above-mentioned officers shall have leave to sell their estates, and carry off the produce. Granted.

VII. That a good vessel shall be allowed to the lady of M. Duclieu, lieutenant-governor-general of the islands, and captain of one of the king's ships, to carry her to

Martinico, with her equipage, furniture, and plate, and servants, suitable to her rank; and also to the governor's lady, and the wives and widows of the staff officers of this island. Granted: one vessel for all the ladies.

VIII. That M. de Folleville, lieutenant-governor of Martinico, shall have a good vessel to carry him and his volunteers thither, by the shortest passage, with only such arms, baggage, and servants, as they brought with them. Granted.

IX. That the Sieur Avril of Dominico and his detachment, shall be sent thither with their arms and baggage. Granted.

X. That the prisoners, soldiers, and sailors, shall be mutually exchanged. Granted.

XI. That all the negroes who are enlisted and continued till the last day of the attack, in the companies of Bologne, Petit, Dumolier, and Ruby, agreeable to the list that will be given in of them, shall have their freedom at the expence of the colony, as by agreement. Granted, upon condition that they are immediately sent out of the island.

XII.

ip their camp with information, that Mr. de Beauharnois, the general of the French islands, had landed at St. Anne's, to the windward, with a reinforcement from Martinique, consisting of six hundred regulars from Europe, and about two thousand buccaneers, with a great supply of arms and ammunition, mortars and artillery, under convoy of the squadron commanded by Mr. de Bompart.

XII. That the men belonging to the privateers, who desire to go to Martinico, shall have a vessel to carry them thither. Granted.

XIII. That there shall be a reasonable time allowed for removing the furniture, effects, and cloaths, that are in the reduit, or other places, belonging to the persons who are to be sent to Martinico; and that his excellency general Barrington shall grant his protection for the safe-conveyance of the above-mentioned effects to the place of embarkation. Granted.

XIV. That there shall be an hospital ship provided for the wounded and sick that are in a condition to be removed; and the rest shall be taken care of and sent with a flag of truce to Martinico, as soon as they are recovered. Granted. Those that remain here shall be taken care of, at the expence of his most christian majesty.

XV. That the subjects for-

merly belonging to the king of Great Britain, who for crimes were forced to fly their country, and have carried arms in this island, shall be pardoned, and allowed to remain in the island as inhabitants. They must go out of the island.

XVI. That the same honours and conditions shall be granted to the king's troops, in the Grande-Terre, as are given to those in Guadeloupe. They shall have neither mortar nor cannon.

XVII. That the troops at the head of the reduit, as well as those of the three rivers, shall march to the post of the camp de la Garde, and remain there until the day of embarkation.

The transport ships shall be at the great bay to-morrow morning to receive the troops of the garrison, the privateers men, and those who are to pass to Martinico.

*John Moore. J. Barrington.
Nadau Dutreil.
Articles*

An. 1759. part, who no sooner learned that the capitulation was signed than he reimbarked the troops and stores

Articles of Capitulation between their Excellencies the Hon. Major-General Barrington, and John Moore, Esq; Commanders in Chief of his Britannic Majesty's Land and Sea Forces in those Seas, and the Inhabitants of the Island of Guadaloupe, represented by Messrs. Debourg, De Clainvilliers, and Duqueruy, by virtue of full Powers to them given for that Purpose, and authorised by Monsieur Dutreil, Knight of the noble Military Order of St. Louis, Governor of the Island.

Art. I. The inhabitants shall march out of their posts, with all the honours of war, viz. with two field-pieces, their arms, colours flying, drums beating, and lighted match. Granted, in consideration of the brave defence which the inhabitants have made, during an attack of three months, upon condition that they lay down their arms, so soon as they have marched by our troops, and that all the forts, posts, batteries, cannon, mortars, firelocks, and bayonets, with all kind of ammunition, and implements of war, be delivered to a commissary to be named by us; and that we shall have a power of fixing garrisons in all such places as we shall think proper.

II. The inhabitants of the islands of Martinico, Marigalante, and Dominico, who came to the assistance of this island, shall have leave to retire with their arms and bag-

gage, and a ship shall be provided to carry them, and the servants they brought with them, to their respective islands, with provisions for their passage. Granted, excepting those from Marigalante, who shall be sent to Martinico.

III. The inhabitants shall be allowed the free and public exercise of their religion; the priests and religious shall be preserved in their parishes, convents, and all other possessions; and the superiors of the several orders shall be permitted to send for such as they think necessary, from France, and the neighbouring islands; but all letters wrote upon this occasion shall be transmitted by the governor appointed by his Britannic majesty. Granted.

IV. They shall observe a strict neutrality, and not be forced to take up arms against his most christian majesty, or against any other power.

stores with all possible expedition, and returned to An. 1759.
Martinique.

Thus

power. Granted, on condition that they take an oath within a month, or sooner, if possible, to maintain all the clauses of the capitulation, as well as to remain exactly faithful and neuter.

V. They shall be allowed their civil government, their laws, customs, and ordinances; justice shall be administered by the same persons who are now in office; and what relates to the interior police of the island shall be settled between his Britannic majesty's governor and the inhabitants. And in case this island should be ceded to the king of Great Britain, at the peace, the inhabitants shall have their choice, either to keep their own political government, or to accept that which is established at Antigua and St. Christopher's. Granted; but when any vacancies happen in the seats of justice, the superior council of the island is to name proper persons to fill up those vacancies, who must receive their commissions from his Britannic majesty; and all acts of justice whatsoever, are to be in his name. But in regard to any change in the political government, we grant it,

if agreeable to his majesty's pleasure.

VI. The inhabitants, as well as the religious orders shall be maintained in the property and enjoyment of their possessions, goods, moveable and immoveable, noble and ignoble, of what nature soever they be; and shall be preserved in their privileges, rights, honours, and exemptions; and the free negroes and mulattoes in their liberty. Granted.

VII. They shall pay no other duties to his Britannic majesty, but such as they have hitherto paid to his most christian majesty, without any charge or imposts: the expences attending the administration of justice, the pensions to curates, and other customary charges, shall be paid out of the revenue of his Britannic majesty, in the same manner as under the government of his most christian majesty. Granted; but if this island is ceded to his Britannic majesty at the peace, it shall be subject to the same duties and imposts as the other English Leeward islands, the most favoured.

VIII. All prisoners taken during the attack of this island

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Thus we see that the conquest of this important island, which is said to produce a greater quantity of

island shall be mutually exchanged. Granted.

IX. The free mulattoes and negroes, who have been taken, shall be considered as prisoners of war, and not treated as slaves. Granted.

X. The subjects of Great Britain, who have taken refuge in this island, whether criminals or debtors, shall have leave to retire. Granted.

XI. No other but the inhabitants actually residing in this island shall possess any lands or houses, by purchase, grant or otherwise, before a peace: but if at the peace this island should be ceded to the king of Great Britain, then such of the inhabitants as do not chuse to live under the English government, shall be permitted to sell their possessions, moveable and immoveable, to whom they will, and retire wherever they please; for which purpose there shall be a reasonable time allowed. Granted: but such of the inhabitants as chuse to retire, shall have leave to sell to none but subjects of Great Britain.

XII. In case there should be any exchange at the peace, their Britannic and most christian majesties are desired to give the preference to this

island. This will depend on his majesty's pleasure.

XIII. The inhabitants shall have free liberty to send their children to be educated in France, and to send for them back; and to make remittances to them whilst there. Granted.

XIV. The absent inhabitants, and such as are in the service of his most christian majesty, shall be maintained in the enjoyment and property of their estates, which shall be managed for them by attornies. Granted.

XV. The wives of officers and others, who are out of the island, shall have leave to retire with their effects, and a number of servants suitable to their rank. Granted.

XVI. The English government shall procure for the inhabitants an exportation for such commodities as the island produces, and are not permitted to be imported into England. Granted; as the island produces nothing but what may be imported into England.

XVII. The inhabitants shall not be obliged to furnish quarters for the troops, nor slaves to work on the fortifications. Granted; but barracks will be provided as

of sugar than is made in all the English plantations, was as much owing to accident as the valour of the troops and the conduct of the general: for,

soon as possible, for the lodgment of the troops; and such negroes, who shall be employed, with the consent of their masters, in public works, shall be paid for their labour.

XVIII. The widows, and other inhabitants, who thro' illness, absence, or any other impediment, cannot immediately sign the capitulation, shall have a limited time allowed them to accede to it. Granted; but all the inhabitants, who chuse to partake of the advantage of the capitulation, shall be obliged to sign it within a month from the date hereof, or to quit the island.

XIX. The men belonging to the privateers, and others who have no property in the island, and are desirous to leave it, shall have vessels to carry them to Martinico or to Dominico (at their option) and shall be furnished with provisions for the passage. Nevertheless those persons who have any debts with the inhabitants of the island, shall be obliged to settle their accounts with them before they leave the island. Granted.

XX. The inhabitants shall have leave to give freedom to such negroes as they have

promised it to, for the defence of this island. Granted, on consideration they are immediately sent off the island.

XXI. The inhabitants and merchants of this island, included in the present capitulation, shall enjoy all the privileges of trade, and upon the same conditions as are granted to his Britannic majesty's subjects throughout the extent of his dominions. Granted, but without affecting the privileges of particular companies established in England, or the laws of the kingdom, which prohibit the carrying on the trade in any other than English bottoms.

XXII. The deputies of the Grande Terre, not having a sufficient power to sign the capitulation, though the colony adheres to the conditions of it, under the authority of M. Nadau, may sign it when they have their full powers, and they will be comprehended in all the clauses. Granted.

Given at the head quarters, in the Capesterre, Guadaloupe, the 1st day of May, 1759.

J. Barrington.

Nadau Dutreil.

John Moore.

D. de Clairvilliers.

Duquerry.

had

An. 1759. had the reinforcement arrived an hour sooner than it actually landed, in all probability the English would have found it impracticable to finish the reduction of Guadalupe. Be that as it may, the natives certainly deserved great commendations, not only for persevering so gallantly in defence of their country, but also for their fortitude in bearing every species of distress. They now quitted the Dos d'Ane, and all their other posts, and returned to their respective habitations.

The town of Basse-terre being reduced to a heap of ashes, the inhabitants began to clear away the rubbish, and erected occasional sheds, where they resumed their several occupations with that good humour so peculiar to the French nation; and general Barrington humanely indulged them with all the assistance in his power.

Defeada,
Los San-
tes, and
Mariga-
lante sub-
mit.

Immediately after the capitulation of Guadalupe, he summoned the islands called Santos and Defeada to surrender; and they, together with Petit-terre, submitted on the same terms which he had granted to the great island: but his proposal was rejected by the inhabitants of Marigalante, which lies about three leagues to the south-east of Grande-terre, extending twenty miles in length, fifteen in breadth, flat and fertile, but poorly watered, and ill-fortified. The general, resolving to reduce it by force, embarked a body of troops on board of transports, which sailed thither under convoy of three ships of war and two bomb vessels from Prince Rupert's Bay; and at their appearance the islanders submitting, received an English garrison.

An. 1759.

Before this period, commodore Moore having received intelligence that Mr. de Bompard had sailed from Martinique, with design to land a reinforcement on Guadalupe, and that his squadron was seen at sea seven leagues to windward of Margalante, he sailed from Prince Rupert's Bay, and turned to windward; but bringing to about noon, he fell to leeward, and lost as much in the day as he had gained in the night. After having been beaten about for five days, to very little purpose, he received notice from one of his cruisers, that the French admiral had returned to Martinique; upon which information he retired quietly to his former station in the bay of Dominique: the people of which were so insolent as to affirm, in derision, that the English squadron sailed on one side of the island, and the French upon the other, that they might be sure of not meeting: but this, without doubt, was an impudent calumny.

General Barrington, having happily finished the conquest of Guadalupe, gave notice to the commodore, that he intended to send back part of the troops with the transports to England, about the beginning of July. In consequence of this intimation, Mr. Moore sailed with his squadron to Basse-terre road, where he was next day joined by two ships of the line from England, which rendered him greatly superior in strength to the commander of the French squadron, who at this time retired to the island of Granada, lying about eight leagues from Guadalupe. Here he was discovered by the ship Rippon, whose captain returned immediately to Basse-terre, to make the commodore acquainted with this circumstance: but, before he could

An. 1759. could weigh anchor, a frigate arrived with information that Bompard had quitted Granada, and was supposed to have directed his course to Hispaniola. The commodore immediately dispatched the Ludlow-castle with this intelligence to admiral Cotes, who commanded the squadron at Jamaica.

General Barrington having made a tour of the island, in order to visit and repair the fortifications which he thought necessary to be maintained, and the affairs relating to the inhabitants being intirely settled, he sent the Highlanders, with a body of draughts, to North America, under convoy: he garrisoned the principal strengths of the island, and left the chief command to colonel Crump, who had for some time acted as brigadier-general, colonel Clavering having been sent home to England with the account of the capitulation. Colonel Melville, who had signalized himself in a remarkable manner ever since their first landing, continued governor of the citadel at Basse-terre; and the command at Grande-terre was conferred on colonel Delgarno. Three compleat regiments were allotted as a sufficient guard for the whole island, and the other three were embarked for England. General Barrington himself went on board the Roebuck in the latter end of June, and with the transports, under convoy of captain Hughes, and a small squadron, set sail for Great-Britain; while commodore Moore, with his larger fleet, directed his course to Antigua.

While this armament had been employed in the conquest of Guadalope, North America exhibited still more sanguinary scenes of war and devastation, which, in order properly to introduce, it will be

ne-

necessary to explain the steps that were taken on this continent, previous to this campaign. In October of the preceding year, a grand assembly was held at Easton, about ninety miles from Philadelphia; and there peace was established by a formal treaty, between Great-Britain and the several Nations of Indians inhabiting the country between the Apalachian mountains and the lakes. The Twightwees, however, settled between the river Ohio and the lakes, did not assist at this treaty, though some steps had been taken towards an alliance with that people. The conferences were managed by the governors of Pennsylvania and New Jersey, accompanied by Sir William Johnson's deputy for Indian affairs, four members of the council of Pennsylvania, six members of the assembly, two agents for the province of New Jersey, a great number of planters, and citizens of Philadelphia, chiefly quakers. They were met by the deputies and chiefs of the Mohawks, Oneidoes, Onondagoes, Cayugas, Senecas, Tuscaroras, Nanticoques, and Conoys, the Tuteloes, Chugnuts, Delawares, and Unamies, the Minisinks, Mohicons, and Wappingers; the whole number, including their women and children, amounting to five hundred.

Treaty
with the
Indians
in North
America.

Some of the Six Nations, thinking themselves aggrieved by the British colonists, who had imprisoned some individuals of their nation, killed a few, and treated others with contempt, did not fail to express their resentment, which had been artfully fomented by the French emissaries, even into an open rupture. The Delawares and Minisinks, in particular, complained that the English had en-

Numb. 24.

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croached

An. 1759. croached upon their lands, and on that account were provoked to hostilities: but their chief, Teedyuscung, had made overtures of peace; and, in the character of ambassador from all the ten nations, had been very instrumental in forming this assembly. The chiefs of the Six Nations, though very well disposed to peace, took umbrage at the importance assumed by one of the Delawares, over whom, as their descendants, they exercised a kind of parental authority; and on this occasion they made no scruple to disclose their dissatisfaction. The business therefore of the English governors, at this congress, was to ascertain the limits of the lands in dispute, reconcile the Six Nations with their nephews the Delawares, remove every cause of misunderstanding between the English and the Indians, detach these savages intirely from the French interest, establish a firm peace, and induce them to exert their influence in persuading the Twightwees to accede to this treaty. Those Indians, though possessed of few ideas, circumscribed in their mental faculties, stupid, brutal, and ferocious, conduct themselves, nevertheless, in matters of importance to the community, by the general maxims of reason and justice; and their treaties are always founded upon good sense conveyed in a very ridiculous manner. Their language is guttural, harsh, and polysyllabical, and their speech consists of hyperbolical metaphors and similies, which invest it with an air of dignity, and heighten the expression. They manage their conferences by means of wampum, a kind of bead, formed of hard shell, either in single strings, or sewed in broad belts of different dimensions, according to the

the importance of the subject. Every proposition is offered, every answer made, every promise corroborated, every declaration attested, and every treaty confirmed, by producing and interchanging these belts of wampum *.

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* The reader will conceive an idea of these people, and their customs, by a few extracts from the journal of their conferences. When the governor of Philadelphia and his counsel arrived at Easton; they were welcomed by Teedyuscung, chief of the Delawares, with the following compliment.

‘ Brother, you desire me to hollow loud, and give notice to all the Indians round about. I have raised my voice, and all the Indians have heard me as far as the Twightwees, and have regarded my voice, and are now come to this place. I bid you welcome, and entreat you to join with me in casting up our eyes to heaven, and praying the blessing of the Supreme Being on our endeavours. According to our usual custom, I with this string wipe the dust and sweat off your face, and clear your eyes, and pick the briars out of your legs; and desire you will pick the briars out of the legs of the Indians that are come here, and anoint one of them with your heal-

ing oil, and I will anoint the other.

A string.

In the subsequent conferences, Tokaao, chief of the Cayugas, spoke to the following effect:

‘ A road has been opened for us to this council fire; but by some misfortune, blood has lately been spilt upon that road. By these strings we wash that blood away, and take the hatchet out of your heads.

Three strings.

Brethren, I now speak only for my own nation, I will hide nothing from you; the French, like a thief in the night, have stolen some of our young men, and corrupted them to do mischief. Our chiefs held them fast, but the French artfully unloosed them; we take out of your heads the hatchet with which they have struck you, and are sorry for what they have done.

A belt of 10 rows.

The Mohawk chiefs having finished their speech, as counsellors, their warriors spoke by the mouth of Thomas King:

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‘ Bre-

An. 1759.

The conferences were continued from the eighth to the twenty-sixth day of October, when every
article

' Brethren, you have been desirous to know the true cause of the war, and of the bitterness of our hearts. Look well about you, and you will find you gave the first offence. In time of profound peace, some of the Shawanese passing through S. Carolina to go to war with their enemies, as their yearly custom is, were persuaded in a friendly manner into your houses, deceitfully and unjustifiably dragged to prison, where one, who was a head man, lost his life, and the others were severely used. This first raised ill-will in the minds of the Shawanese; the French aggravated the offence; put the hatchet into their hands to revenge the blood of their brother; they besought the Delawares to join them to make the blow fall the heavier; and by degrees the young men among us were stirred to vengeance.

Brethren, this was the case of the Shawanese. Another of the like nature happened about three years ago to the Senecas, when eight of their warriors were returning from war, with seven prisoners and scalps with them, through Virginia; these, at a place called Green Briar, met a party of soldiers, not less

than 150, who kindly invited them to a certain store, and said, they would supply them with provisions; two days they travelled with them in a friendly manner, but when they came to the house on the third, they began to disarm them; the head man cried out, Here is death; defend yourselves; two of them were killed on the spot, and one, a boy, was taken prisoner. As this was upon the warriors road in time of profound peace, judge ye of the degree of provocation. Brethren, you have justly demanded your prisoners; it is right so to do; and if this unhappy boy is alive, as we have reason to think he is, we desire you may return him. If he is dead we are content. His name is Squissatago.

Six strings of wampum.

Brethren, the cause why the Indians at Ohio left you was owing to yourselves; when we heard of the French coming there, we desired the governors of Virginia and Pennsylvania to supply us with implements and necessaries for war, and we would defend our lands; but these governors disregarded our message; the French came to us; traded with our people; used them

article was settled to the mutual satisfaction of all parties. The Indian deputies were gratified with

a va-

them kindly; and gained their affections. The governor of Virginia settled on our lands for his own benefit; but when we wanted his assistance, he forsook us. *A belt.*

Brother, [addressing himself to the governor of Jersey] our cousins the Minisinks tell us, they were wronged of a great deal of land, and pushed back by the English settling so fast upon them, so as not to know whether they have any lands or no. You deal hardly with us; you claim all the wild creatures, and will not let us come on your lands so much as to hunt after them; you will not let us peel a single tree. Surely this is hard. You take of us what lands you please, and the cattle you raise on them are your own; but those that are wild are still ours, and should be common to both; for our nephews, when they sold the land, did not purpose to deprive themselves of hunting the wild deer, or using a stick of wood. We desire you, the governor, to take this matter into your care, and see justice done to the Minisinks.

Two strings of wampum.

Addressing himself to the governor of Pennsylvania, he said, 'Brother, we must put

you in mind, that four years ago, you bought at Albany a large tract of land; for a part of which that was settled, the proprietaries agents then paid 1000 pieces of eight. We acknowledge the receipt of that money, and the validity of so much of the purchase; but for the other part that was not paid for, that we reclaim. Our warriors, our hunters, when they heard of this vast sale, disapproved our conduct in council; in the deed our hunting grounds are included, and without them we must perish.

Three strings.

[The Six Nations chiefs being asked if they had any thing farther to say, answered, they had done.]

Teedyuscung.] 'About three years ago, nine of my country men were killed near Goshan in time of peace, for no other reason than because they were hunting upon that land; one of their brethren assures me, that he then went with tears in his eyes to George Freeland, and presented him with three belts to have the matter cleared up; but has never received an answer to this day. I give you this string to enquire what is become of these belts.

Three strings of white wampum.

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Bre

An. 1759. a valuable present, consisting of looking glasses, knives, tobacco-boxes, sleeve-buttons, thimbles, sheers,

Brethren, I have already acquainted you with my grievance. I told you that the proprietaries had wronged me, and I referred my cause to the great king; now I desire to know if king George has yet decided that matter between you and me. I do not mention my uncles land; only what we the Delawares own as far as the heads of the Delaware. *A belt.*

Teedyuscung then took up another belt, intending to speak to his uncles the United Nations; but whilst he was speaking, as above, the chiefs had one after another left the council, seemingly much displeased; he therefore held his peace.

Thursday, Oct. 19. At a private council gov. Bernard, after reciting the request of the United Nations to take the case of the Minisinks under his care, said, that as the people of New Jersey declared, they had bought all the Minisinks lands, and the Minisinks said they had a great deal unfold, he could not tell which was in the right; but would suppose the Minisinks; he therefore desired the mediation of the United Nations, and left it to them to propose a reasonable sum by way of

satisfaction, of which he desired they would consider and give an answer. The United Nations said it was a kind proposal, and recommended it to the consideration of the Minisinks.

Teedyuscung waited on gov. Denny at his house, and acquainted him, that his nation did not claim lands high up the Delaware river; those, he said, belonged to his uncles; of which he desired the governor to take notice, that no misunderstanding might arise from what had been said at the public council.

Friday, Oct. 20. Gov. Denny desired to know of Teedyuscung, if he proposed to speak, as the abrupt departure of the Six Nation chiefs had interrupted his discourse the day before.

Teedyuscung.] 'Uncles, according to the ancient custom, we used to speak one to another at home; but now I must speak to you in the presence of the English governors. You may remember that you have placed us at Wyomink and Shamokin; places where Indians have lived before. Now I hear since, that you have sold that land to our brethren the English; let this matter be now cleared up.

sheers, gun-locks, ivory combs, shirts, shoes, An. 1759.
stockings, hats, caps, handkerchiefs, thread,
cloaths,

up. I sit like a bird on a bough, I look about and do not know where I may be driven to. Let me therefore come down upon the ground, and make that my own by a deed, and I shall have a home for ever; for if you, my uncles, or I die, our brethren the English will say they have bought it from you, and so wrong my posterity out of it.

A belt.

Governor Denny having satisfied them for the lands in dispute, by the payment of one thousand dollars, and every objection to the general peace being happily removed, Tagashata, a Mohawk chief, rose up, and addressing himself to the Delawares, said,

‘Nephews, now you must remember the friendship between you and your brethren the English, and transmit it to your children; and make them acquainted with the transactions of this day; it should seem that your grandfathers forgot the treaties they used to make with their brethren, and buried them with them in the grave. Give over all further thoughts of your lands; and take care, that your young men do no

more violence to their brethren the English.’

Then Egoohowen (the Minisink chief) addressed himself to the governor, and said, ‘We are now satisfied, and we still retain a friendship for the English; and we desire that if we should come into your province to see our old friends, and should have occasion for the bark of a tree to cover a cabin, or a little refreshment, that we should not be denied, but be treated as brethren; and that your people may not look on the wild beasts of the forest, or fish of the waters, as their sole property, but that we may be admitted to an equal use of them.’

The governor answered, that as soon as he got home, he should notify the peace thro’ all the provinces by proclamation; but desired the Indians might not go into those parts where they had so lately committed hostilities, till the passions of the people were cooled; for that he could not answer for his people’s behaviour, while their sufferings were fresh upon their minds.

This day at a meeting of the United Nations with the

An. 1759. cloaths, blankets, gartering, ferges, watch-coats, and a few suits of laced cloaths for their chieftains.
To

Delawares, their nephews, about settling the deed in dispute, the members of the Penfylvanian council were invited to be prefent; when Teedyufcung rofe up, and faid, ‘ We have feen the deeds for the lands beyond the Kittochtinny hills, and acknowledge its validity; our chief, Nutimus, remembers it, and received forty-four dollars for his fhare of the purchafe money; but this is not the land that I have difputed with my brethren the Englifh; that land lies between Tobiccon Creek, and the Kittochtinny hills.”

A ftring.

Tokanio and the Six Nation chief flood up and faid, ‘ Coufin, I thank you for your opennefs and honefty in freely acknowledging the truth. I wifh the governors of Penfylvania, Virginia, Carolina, and Jerfey, were fo honeft and precise. They have called us down to a council fire, to brighten the chain of friendfhip; but our time is taken up in a fruitlefs difpute about lands, *without coming to the main point.* The Englifh firft began to do mischief; we told them fo. They only thanked us for our franknefs; but they healed no wounds. In fhort,

when they fpeak to us, they do it with a fhorter belt and ftring, than that which we fpeak to them with, though they can make wampum, and we cannot. They ought not thus to treat with Indians in council affairs. Several of our ftrong belts are loft in their hands. I fear they fpeak only from their mouth, and not from the heart.

Sunday, Oct. 22. The Six Nation chiefs held a private council, and named two of their people to fend to the Ohio. Frederic Poft arrived with the news from general Forbes, that a large body of French and Indians having attacked his advanced poft at Loyal Hanning, were repulfed with great lofs, which lofs he communicated to the Indians.

Monday, Oct. 25. Governor Denny.] ‘ Brethren, by this belt we heal your wounds; we remove your grief; we take the hatchet out of your heads; we make a deep hole in the earth and bury the hatchet fo low, that nobody fhall be able to dig it up again. *A belt.*

Brethren, now we have healed your wounds: we by this belt renew all our treaties; we brighten the chain
of

To crown their happiness, the stores of rum were opened : they drank themselves into a state of brutal intoxication, and next day returned in peace to their respective places of habitation.

This treaty with the Indians, who had been debauched from the interest of Great Britain, auspici-

of friendship ; we return to our first affection ; we confirm our ancient union : we put fresh earth to the roots of the tree of peace, that it may bear up against every storm that can blow, and live and flourish to the end of time, whilst the sun shines, and the rivers run. And we desire you to publish this to all the nations, your friends and allies.

A large peace belt.

Brethren, we now open a road to the old council fire at Philadelphia, and be assured, we shall always be glad to see you there.

A belt.

Brethren, this treaty will convince all our enemies, that we are now united in the firmest band of amity, and while we join our strength together, it will not be in their power to hurt either you, or us.

A belt.

Brethren, as a token of our love, we present you with a quantity of goods, and desire your acceptance of them ; sensible of the approaching season, and of the many difficulties you live under from the present war, we give it with a hearty good will.

Brother Teedyuscung, you put me in mind of your having referred your dispute to the great king, and you desired to know if he has decided it ; you may depend upon it, that as soon as his answer can be obtained, it shall be communicated to you.

A belt.

Then governor Barnard, requesting the attention of the Indians, acquainted them, that in consequence of their advice, he had come to a full agreement with the Minisinks, for all the lands in dispute on the part of his province, to which he desired they would pay a particular regard, that the remembrance of it might never be forgotten.

A belt.

Then addressing himself to Teedyuscung, he said, the nine men killed at Goshan, of which he had justly complained, were not in his province ; the three belts he would make enquiry about of the governor of New York, and would send him an answer. He added, that the fact had been blamed by all good and wise men.

A string.

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An. 1759:

Plan of
the cam-
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tinent.

ously paved the way for those operations which had been projected against the French settlements in Canada. Instead of employing the whole strength of the British arms in North America against one object, the ministry proposed to divide the forces, and make impressions on three different parts at once, that the enemy might be divided, distracted, and weakened, and the conquest of Canada completed in one campaign. That the success might be the more certain, the different expeditions were planned in such a manner as to co-operate with each other, and even join occasionally; so practicable was it thought for them to maintain such a correspondence as would admit of a junction of this nature. The project of this campaign imported, that general Wolfe, who had distinguished himself so eminently in the siege of Louisbourg, should proceed up the river St. Laurence, as soon as the navigation should be clear of ice, with a body of eight thousand men, and a considerable squadron of ships from England, to undertake the siege of Quebec, the capital of Canada: that general Amherst, who commanded in chief, should, with another army of regular troops and provincials, amounting to twelve thousand men, reduce Ticonderoga and Crown-point, cross the lake Champlain, and, proceeding along the river Richelieu to the banks of St. Laurence, join general Wolfe in the siege of Quebec; that brigadier-general Prideaux, with a third body, reinforced by a considerable number of friendly Indians, assembled by the influence and under the command of Sir William Johnson, should invest the French fort, erected by the fall or cataract of Niagara, which was

cer-

certainly the most important post of all French America, as it in a manner commands all the interior parts of that vast continent. It overawes the whole country of the Six Nations, who were cajoled into a tame acquiescence in its being built on their territory: it secured all the inland trade, the navigation of the great lakes, the communication between Canada and Louisiana, and opened a passage for inroads into the colonies of Great-Britain. It was proposed, that the British forces, having reduced Niagara, might be embarked on the lake Ontario, fall down the river St. Laurence, besiege and take Montreal, and then join or co-operate with Amherst's army. Besides these larger armaments, colonel Stanwix commanded a smaller detachment for reducing smaller forts, and scouring the banks of the lake Ontario.

How far this project was founded on reason and military knowledge, may be judged by the following particulars, of which the projectors were not ignorant. The navigation of the river St. Laurence is dangerous and uncertain. The city of Quebec was remarkably strong, from situation and fortification, from the bravery of the inhabitants, and the number of the garrison. Monsieur de Montcalm, an officer of great courage and activity, kept the field between Montreal and Quebec with a body of ten thousand men, consisting of regular troops and disciplined militia, reinforced by a considerable number of armed Indians; and another body of reserve hovered in the neighbourhood of Montreal, which was the residence of monsieur de Vaudreuil, governor-general of Canada. The garrison of Niagara consisted of above six hun-

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versions
on that
plan.

An. 1759.

An. 1759. hundred men; the march to it was tedious and embarrassed; and monsieur de Levi scoured the country with a flying detachment, well acquainted with all the woods and passes. With respect to general Amherst's share of the plan, the forts of Ticonderoga and Crown-point stood in his way. The enemy were masters of the lake Champlain, and possessed the strong fort of Chambly, by the fall of the river Richelieu, which defended the pass to the river St. Laurence. Even had these obstacles been removed, it was hardly possible that he and Mr. Wolfe should arrive at Quebec in the same instant of time. The first that reached it, far from being in a condition to undertake the siege of Quebec, would run the risque of being engaged and defeated by the covering army: in which case, the other body must have been exposed to the most imminent hazard of destruction, in the midst of an enemy's country, far distant from any place of safety to which it could retreat. Had these disasters happened, and, according to the experience of war, they were the natural consequences of the scheme, the troops at Niagara would in all probability have fallen an easy sacrifice, unless they had been so fortunate as to receive intelligence time enough to accomplish their retreat before they could be intercepted. The design would, we apprehend, have been more justifiable, or at least not so liable to objection, had Mr. Amherst left two or three regiments to protect the frontiers of New York, and joining Mr. Wolfe with the rest, sailed up the river St. Laurence to besiege Quebec. Even in that case, the whole number of his troops would not have been sufficient, according to the
articles

articles of war, to invest the place, and cope with the covering army. Nevertheless, had the enterprize succeeded, Montcalm must either have hazarded an engagement against great odds, or retired farther into the country: then the route would have been open by land and water to Montreal, which could have made little resistance. The two principal towns being taken, and the navigation of St. Laurence blocked up, all the dependant forts must have surrendered at discretion, except Niagara, which there was a bare possibility of supplying, at an incredible trouble and expence, from the distant Mississippi; but, even then, it might have been besieged in form, and easily reduced. Whatever defects there might have been in the plan, the execution, though it miscarried in some essential points, was attended with surprising success.

The same good fortune that prospered the British arms so remarkably in the conquest of Guadalupe, seemed to interpose still more astonishingly in their favour at Quebec, the siege of which we shall record in its proper place: at present we must attend the operations of general Amherst, whose separate army was first in motion, though such impediments were thrown in his way as greatly retarded the progress of his operations; impediments said to have arisen from the pride, insolence, and obstinacy of certain individuals, who possessed great influence in that part of the world, and employed it all to thwart the service of their country.

The summer was already far advanced before general Amherst could pass lake George with his forces,

An. 1759. forces, although they met with no opposition, and reach the neighbourhood of Ticonderoga, where, in the preceding year, the British troops had sustained such a terrible disaster. At first the enemy seemed determined to defend this fortress; but perceiving the English commander resolute, cautious, and well prepared for undertaking the siege, having moreover orders to retreat from place to place, towards the centre of operations at Quebec; rather than run the least risk of being made prisoners of war, they in the night of July the twenty-seventh abandoned the post, after having in some measure dismantled the fortifications, and retired to Crown-point, a fort situated on the verge of Lake Champlain. General Amherst, having taken possession of this important post, which effectually covered the frontiers of New York, and secured to himself a safe retreat in case of necessity, ordered the works to be repaired, and allotted a strong garrison for its defence. This acquisition, however, was not made without the loss of a brave accomplished young officer, colonel Roger Townshend, who, in reconnoitring the fort, was killed with a cannon shot, and fell near the same spot which in the former year had been enriched with the blood of the gallant lord Howe, whom he strongly resembled in the circumstances of birth, age, qualifications, and character. While the general superintended the repairs of Ticonderoga, and the men were employed in preparing batteries and other vessels, his scouting parties hovered in the neighbourhood of Crown-point, in order to watch the motion of the enemy. From one of these detachments, he received intelligence on the first day of August, that the enemy

The forts
of Ticon-
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by the
enemy.

enemy had retired from Crown-point. He immediately detached a body of rangers before him to take possession of the place, embarked with the rest of the army, and on the fourth day of the month, landed at the fort, where the troops were immediately encamped. His next care was to lay the foundations of a new fort, to be maintained for the farther security of the British dominions in that part of the country, and particularly for preventing the inroads of scalping parties, by whom the plantations had been dreadfully infested.

Here information was received that the enemy had retired to the isle Aux Noix, at the other end of the lake Champlain, five leagues on the higher side of St. John's; that their force encamped in that place, under the command of Mr. de Burlemaque, consisted of three battalions and five piquets of regular troops, with Canadians and marines, amounting in the whole to three thousand five hundred effective men, provided with a numerous artillery; and that the lake was occupied by four large vessels mounted with cannon, and manned with piquets of different regiments, under the command and direction of Mr. le Bras, a captain in the French navy, assisted by Mr. de Rigal, and other sea officers. In consequence of this intimation, general Amherst, who had for some time employed capt. Loring to superintend the building of vessels at Ticonderoga, being resolved to have the superiority on the lake, directed the captain to build with all possible expedition a sloop of sixteen guns, and a radeau eighty four feet in length, capable of carrying six large cannon. These, together with a brigantine, being finished,

An. 1759.

General
Amherst
embarks
on the
lake
Cham-
plain.

An. 1759. victualled, and manned by the eleventh day of October, the general embarked with the whole troops in batteaus, in order to attack the enemy; but next day, the weather growing tempestuous, was obliged to take shelter in a bay on the western shore, where the men were landed for refreshment. In the mean time, capt. Loring with his small squadron sailed down the lake, gave chase to a French schooner, and drove three of their ships into a bay, where two of them were sunk, and the third run a-ground by their own crews, who escaped; one, however, was repaired and brought away by capt. Loring, so that now the French had but one schooner remaining. General Amherst, after having been some days wind-bound, reembarked his forces, and proceeded down the lake; but the storm, which had abated, beginning to blow with redoubled fury, so as to swell the waves mountain high, the season for action being elapsed, and winter setting in with the most rigorous severity, he saw the impossibility of accomplishing his design, and was obliged to desist.

Returning to the same bay where he had been sheltered, he landed the troops, and began his march for Crown-point, where he arrived on the twenty-first day of October. Having secured a superiority on the lake, he now employed all his attention in rearing the new fortrefs at Crown-point, together with three small out-forts for its better defence; in opening roads of communication with Ticonderoga, and the governments of the Massachusetts, and New Hampshire; and in making dispositions for the winter-quarters of his troops, so as to protect the country from the in-roads



GENERAL AMHERST.

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roads of the enemy. During this whole summer he received not the least intelligence of Mr. Wolfe's operations, except a few hints in some letters relating to the exchange of prisoners, that came from the French general Montcalm, who gave him to understand, that Mr. Wolfe had landed in the neighbourhood of Quebec, and seemed determined to undertake the siege of that city: that he had honoured him (the French general) with several notes, sometimes couched in a soothing strain, sometimes filled with threats*; that the French army intended to give him battle, and a few days would determine the fate of Quebec.

Though Mr. Amherst was ignorant of the proceedings of the Quebec squadron, his communication continued open with the forces which undertook the siege of Niagara; and he received an account of their success before he had quitted the lines of Ticonderoga.

General Prideaux, with his body of troops, reinforced by the Indian auxiliaries under Sir William Johnson, advanced to the cataract of Niagara, without being exposed to the least inconvenience on his march; and investing the French fortress about the middle of July, carried on his approaches with great vigour, till the twentieth day of that month, when, visiting the trenches, he was unfortunately slain by the bursting of a cohorn. Mr. Amherst was no sooner informed of his disaster, then he detached from Ticonderoga brigadier-general Gage, to assume the command of that army. In the mean time it devolved to Sir Wil-

* *Quelquefois pleins de douceurs, quelquefois remplies de menaces.*

An. 1759. liam Johnson, who happily prosecuted the plan of his predecessor with all the success, that could have been desired. The enemy, alarmed with the apprehension of losing a place of such importance, resolved to exert their endeavours for its relief. They assembled a body of regular troops, amounting to twelve hundred men, drawn from Detroit, Venango, and Presque Isle; and these, with a number of Indian auxiliaries, were detached, under the command of monsieur d'Aubry, on an attempt to reinforce the garrison of Niagara. Sir William Johnson, having received intelligence of their design, made a disposition to intercept them in their march. In the evening he ordered the light infantry and piquets to post themselves to the left, on the road leading from Niagara falls to the fortresses; and these were reinforced in the morning with the grenadiers, and part of the forty-sixth regiment, commanded by lieutenant-colonel Massey; and another regiment, under lieutenant-colonel Farquhar, was posted at the tail of the works, in order to support the guard of the trenches. About eight in the morning, the enemy being in sight, the Indians in the English army advanced to speak with their countrymen who served under the French banners; but this conference was declined by the enemy. Then the French Indians having uttered the horrible scream called the war-whoop, which by this time had lost its effect among the British forces, the enemy began the action with great impetuosity: but they met with such a hot reception in front, while the Indian auxiliaries fell upon their flanks, that in little more than half an hour their whole army was routed, their general, with

Reduction of
Niagara.

with all his officers, taken, and the pursuit continued through the woods for several miles with considerable slaughter. This battle, which happened on the twenty-fourth day of July, having been fought in sight of the French garrison at Niagara, Sir William Johnson sent major Harvey with a trumpet to the commanding officer, to present him with a list of the seventeen officers taken in the engagement, and exhort him to surrender before more blood was shed, while he had it in his power to restrain the Indians. The commandant, having certified himself of the truth, by sending an officer to visit the prisoners, agreed to treat, and in a few hours the capitulation was ratified. The garrison, consisting of six hundred and seven effective men, marched out with the honours of war, in order to be embarked in vessels on the lake, and conveyed in the most expeditious manner to New York. They laid down their arms when they embarked; but were permitted to keep their baggage, and, by a proper escorte, protected from the savage insolence and rapacity of the Indians. All the women were conducted, at their own request, to Montreal; and the sick and wounded, who could not bear the fatigue of travelling, were treated with humanity.

This was the second compleat victory obtained on the continent of North America, in the course of the same war, by Sir William Johnson, who, without the help of a military education, succeeded so signally in the field by dint of innate courage and natural sagacity. What remarkably characterises these battles, is the circumstance of his having taken in both the commander of the enemy. In-

An. 1759. deed, the war in general may be distinguished by the singular success of this gentleman and the celebrated Mr. Clive, two self-taught generals; who, by a series of shining actions, have demonstrated, that uninstructed genius can, by its own internal light and efficacy, rival, if not eclipse, the acquired art of discipline and experience. Sir William Johnson was not more serviceable to his country by his valour and conduct in the field, than by the influence and authority which his justice, benevolence, and integrity, had acquired among the Indian tribes of the Six Nations, whom he not only assembled at Niagara, to the number of eleven hundred, but also restrained within the bounds of good order and moderation.

Introduction to the expedition against Quebec.

The reduction of Niagara, and the possession of Crown-point, were exploits much more easily achieved than the conquest of Quebec, the great object to which all these operations were subordinate. Of that we now come to give the detail, fraught with singular adventures and surprising events; in the course of which a noble spirit of enterprize was displayed, and the scenes of war were exhibited in all the variety of desolation. It was about the middle of February that a considerable squadron sailed from England for Cape Breton, under the command of the admirals Saunders and Holmes, two gentlemen of worth and probity, who had on several occasions signalized their courage and conduct in the service of their country. By the twenty-first day of April they were in sight of Louisbourg; but the harbour was blocked up with ice in such a manner, that they were obliged to bear away for Halifax in Nova-

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ADMIRAL SAUNDERS.

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An. 1759.

Scotia. From hence rear-admiral Durell was detached with a small squadron, to sail up the river St. Laurence as far as the isle de Coudres, in order to intercept any supplies from France intended for Quebec: he accordingly took two storeships; but he was anticipated by seventeen sail of ships, loaded with provision, stores, and some recruits, under convoy of three frigates, which had already reached the capital of Canada. Mean while, admiral Saunders arrived at Louisbourg; and the troops being embarked, to the number of eight thousand, proceeded up the river without further delay. The operations at land were intrusted to the conduct of major-general James Wolfe, whose talents had shone with such superior lustre at the siege of Louisbourg; and his subordinates in command were the brigadiers Monckton, Townshend, and Murray; all four in the flower of their age, who had studied the military art with equal eagerness and proficiency, and, though young in years, were old in experience. The first was a soldier by descent, the son of major-general Wolfe, a veteran officer of acknowledged capacity: the other three resembled each other, not only in years, qualifications, and station, but also in family-rank, all three being the sons of noblemen. The situation of brigadier Townshend was singular: he had served abroad in the last war with reputation, and resigned his commission during the peace, in disdain of some hard usage he had sustained from his superiors. That his military talents, however, might not be lost to his country, he exercised them with equal spirit and perseverance in projecting and promoting the plan of a national militia. When the

An. 1759. command and direction of the army devolved to a new leader, so predominant in his breast was the spirit of patriotism and the love of glory, that tho' heir-apparent to a British peerage, possessed of a very affluent fortune, remarkably dear to his acquaintance, and solicited to a life of quiet by every allurements of domestic felicity, he waved these considerations: he burst from all intanglements: proffered his service to his sovereign; exposed himself to the perils of a disagreeable voyage, the rigours of a severe climate, and the hazards of a campaign peculiarly fraught with toil, danger, and difficulty.

General
Wolfe
lands on
the island
of Or-
leans.

The armament intended for Quebec failed up the river St. Laurence, without having met with any interruption, or having perceived any of those difficulties and perils with which it had been reported that the navigation of it was attended. Their good fortune in this particular, indeed, was owing to some excellent charts of the river, which had been found in vessels taken from the enemy. About the latter end of June the land-forces were disembarked in two divisions upon the isle of Orleans, situated a little below Quebec, a large fertile island, well cultivated, producing plenty of grain, abounding with people, villages, and plantations. General Wolfe no sooner landed on the island of Orleans than he distributed a manifesto among the French colonists, importing, That the king his master, justly exasperated against the French monarch, had equipped a considerable armament, in order to humble his pride, and was determined to reduce the most considerable French settlements in America. He declared, it was not against the in-

industrious peasants, their wives, and children, nor against the ministers of religion, that he intended to make war: on the contrary, he lamented the misfortune to which they must be exposed by the quarrel: he offered them his protection, and promised to maintain them in their temporal possessions, as well as in the free exercise of their religion, provided they would remain quiet, and take no part in the difference between the two crowns. He observed, that the English were masters of the river St. Laurence, so as to intercept all succours from Europe; and had, besides, a powerful army on the continent, under the command of general Amherst. He affirmed, That the resolution they ought to take was neither difficult nor doubtful, as the utmost exertion of their valour would be useless, and serve only to deprive them of the advantages which they might reap from their neutrality. He reminded them, that the cruelties exercised by the French upon the subjects of Great Britain in America, would excuse the most severe reprisals; but Britons were too generous to follow such barbarous examples. He again offered to the Canadians the sweets of peace, amidst the horrors of war; and left it to themselves to determine their own fate by their own conduct. He expressed his hope, that the world would do him justice, should they oblige him, by rejecting these favourable terms, to adopt violent measures. He expatiated upon the strength and power, as well as the generosity of Great Britain, in thus stretching out the hand of humanity; a hand ready to assist them on all occasions, even when France was, by her weakness, compelled to abandon them in the

An. 1759. most critical conjuncture. This declaration produced no immediate effect; nor, indeed, did the Canadians depend upon the sincerity and promised faith of a nation, whom their priests had industriously represented as the most savage and cruel enemy on earth. Possessed of those notions, which prevailed even among the better sort, they chose to abandon their habitations, and expose themselves and families to certain ruin, in provoking the English by the most cruel hostilities, rather than be quiet, and confide in the general's promise of protection. Instead of pursuing this prudent plan of conduct, they joined the *scalping parties of Indians who skulked among the woods, and falling upon the English stragglers by surprize, butchered them with the most inhuman barbarity. Mr. Wolfe, whose nature revolted against such wanton and perfidious cruelty, sent a letter to the French general, representing, that such enormities were contrary to the rules of war observed among civi-

* The operation of scalping, which, to the shame of both nations, is encouraged both by French and English, the savages perform in this manner.—The hapless victim being disabled, or disarmed, the Indian, with a sharp knife, provided and worn for the purpose, makes a circular incision to the bone, round the upper part of the head, and tears off the scalp with his fingers. Previous to this execution, he generally dispatches the prisoner by repeated blows

on the head with the hammer side of an instrument, called a tomo-hawk: but sometimes they save themselves the trouble, and sometimes the blows prove ineffectual; so that the miserable patient is found alive, groaning in the utmost agony of torture. The Indian strings the scalps he has procured, to be produced as a testimony of his prowess, and receives a premium for each from the nation under whose banners he has enlisted.

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lized nations, dishonourable to the service of France, and disgraceful to human nature: he therefore desired the French colonists and Indians might be restrained within due bounds, otherwise he would burn their villages, desolate their plantations, and retaliate upon the persons of his prisoners whatever cruelties should, in the sequel, be committed on the soldiers or subjects of his master. In all probability the French general's authority was not sufficient to bridle the ferocity of the savages, who continued to scalp and murder with the most brutal appetite for blood and revenge; so that Mr. Wolfe, in order to intimidate the enemy into a cessation of these outrages, found it necessary to connive at some irregularities in the way of retaliation.

Mr. de Montcalm, who commanded the French troops, though superior in number to the invaders, very wisely resolved to depend upon the natural strength of the country, which appeared almost insurmountable, and had carefully taken all his precautions of defence. The city of Quebec was skilfully fortified, secured with a numerous garrison, and plentifully supplied with provision and ammunition. Montcalm had reinforced the troops of the colony with five regular battalions, formed of the best of the inhabitants, completely disciplined all the Canadians of the neighbourhood capable of bearing arms, and several tribes of savages. With this army he had taken the field, in a very advantageous situation, encamped along the shore of Beaufort, from the river St. Charles to the falls of Montmorenci, every accessible part being deeply intrenched. To undertake the siege of Quebec

Takes possession of Point Levi.

against

An. 1759. against such odds and advantages, was not only a deviation from the established maxims of war, but a rash enterprize, seemingly urged in diametrical opposition to the dictates of common sense. Mr. Wolfe was well acquainted with all the difficulties, of the undertaking; but he knew at the same time he should always have it in his power to retreat, in case of emergency, while the British squadron maintained its station in the river: he was not without hope of being joined by general Amherst; and he was stimulated by an appetite for glory, which the prospect of accumulated dangers could not allay. Understanding that there was a body of the enemy posted, with cannon, at the Point of Levi, on the south shore, opposite to the city of Quebec, he detached against them brigadier Monckton, at the head of four battalions, who passed the river at night; and next morning, having skirmished with some of the enemy's irregulars, obliged them to retire from that post, which the English immediately occupied. At the same time colonel Carlton, with another detachment, took possession of the western point of the island of Orleans; and both these posts were fortified, in order to anticipate the enemy, who, had they kept possession of either, might have rendered it impossible for any ship to lie at anchor within two miles of Quebec. Besides, the Point of Levi was within cannon-shot of the city, against which a battery of mortars and artillery was immediately erected. Montcalm, foreseeing the effect of this expedient, detached a body of sixteen hundred men across the river, to attack and destroy the works before they were completed: but this detachment fell into disorder,

order, fired upon each other, and retired in confusion. The battery being finished, without further interruption, the cannon and mortars began to play with such success, that in a little time the upper town was considerably damaged, and the lower town reduced to a heap of rubbish.

In the mean time the fleet was exposed to the most imminent danger. Immediately after the troops had been landed on the island of Orleans, the wind increased to a furious storm, which blew with such violence, that many transports ran foul of one another, and were disabled; a number of boats and small craft foundered, and divers large ships lost their anchors. The enemy resolving to take advantage of the confusion which they imagined this disaster must have produced, prepared seven fireships, and at midnight sent them down from Quebec among the transports, which lay so thick as to cover the whole surface of the river. The scheme, though well contrived, and seasonably executed, was entirely defeated by the deliberation of the British admiral, and the dexterity of his marines, who resolutely boarded the fireships, and towed them fast a-ground, where they lay burning to the water's edge, without having done the least prejudice to the English squadron. On the very same day of the succeeding month, they sent down a raft of fireships, or radeaus, which were likewise consumed, without producing any effect.

The fleet endangered by a storm.

The works for the security of the hospital, and the stores on the island of Orleans, being finished, the British forces crossed the north channel in boats, and landing under the cover of two sloops, encamped on the side of the river Montmorenci, which

The general encamps by the falls of the river Montmorenci.

An. 1759. which divided them from the left of the enemy; and next morning a company of rangers, posted in a wood to cover some workmen, were attacked by the French Indians, and totally defeated: however, the nearest troops advancing, repulsed the Indians in their turn with considerable loss. The reasons that induced general Wolf to choose this situation by the falls of Montmorenci, in which he was divided from Quebec by this, and another river called St. Charles, he explained in a letter to the secretary of state. He observed that the ground which he had chosen was high, and in some measure commanded the opposite side on which the enemy was posted: that there was a ford below the falls, passable in every tide for some hours at the latter part of the ebb, and beginning of the flood; and he hoped that means might be found of passing the river higher up, so as to fight the marquis de Montcalm upon less disadvantageous terms than those of directly attacking his intrenchments. Accordingly, in reconnoitring the river Montmorenci, a ford was discovered about three miles above; but the opposite bank, which was naturally steep and covered with woods, the enemy had intrenched in such a manner as to render it almost inaccessible. The escorte was twice attacked by the Indians, who were as often repulsed; but these rencounters cost the English about forty men killed and wounded, including some officers.

Some shrewd objections might be started to the general's choice of ground on this occasion. He could not act at all without passing the river Montmorenci at a very great disadvantage, and attacking an enemy superior to himself in number, secured

cured by redoubts and intrenchments. Had he even, by dint of extraordinary valour, driven them from these strong posts, the success must have cost him a great number of officers and men; and the enemy might have retreated behind the river St. Charles, which he must also have passed under the same disadvantages, before he could begin his operations against the city of Quebec. Had his good fortune enabled him to surmount all these difficulties, and after all to defeat the enemy in a pitched battle, the garrison of Quebec might have been reinforced by the wreck of their army; and he could not, with any probability of success, have undertaken the siege of an extensive fortified place, which he had not troops sufficient to invest, and whose garrison would have been nearly equal in number to the sum total of the troops he commanded. At any rate, the chance of a fair engagement in the open field was what he had little reason to expect in that situation, from the known experience, and the apparent conduct of the French general. These objections appeared so obvious and important, that general Wolfe would not determine to risque an attack, until he had surveyed the upper part of the river St. Laurence, in hope of finding some place more favourable for a descent.

On the eighteenth day of July, the admiral, at his request, sent two ships of war, two armed sloops, and some transports, having troops on board, up the river; and they passed the city of Quebec, without having sustained any damage. The general, being on board of this little armament, carefully observed the banks on the side of the enemy, which were extremely difficult from the nature of the ground,

He fails up the river with a detachment.

An. 1759. ground, and these difficulties were redoubled by the foresight and precaution of the French commander. Though a descent seemed impracticable between the city and Cape Rouge, where it was intended, general Wolfe, in order to divide the enemy's force, and procure intelligence, ordered a detachment, under the command of colonel Carlton, to land higher up at the Point Au Tremble, to which place he was informed, a good number of the inhabitants of Quebec had retired with their most valuable effects. This service was performed with little loss, and some prisoners were brought away; but no magazine was discovered.

He attacks the French intrenchment at Montmorenci, and is repulsed with considerable loss.

The general, thus disappointed in his expectation, returned to Montmorenci, where brigadier Townshend had, by maintaining a superior fire across that river, prevented the enemy from erecting a battery, which would have commanded the English camp: and now he resolved to attack them, though posted to great advantage, and every where prepared to give him a warm reception. His design was, first to reduce a detached redoubt close to the water's edge; seemingly situated without gun-shot of the intrenchment on the hill. Should this fortification be supported by the enemy, he foresaw that he should be able to bring on a general engagement: on the contrary, should they remain tame spectators of its reduction, he could afterwards examine their situation at leisure, and determine the place at which they could be most easily attacked. Preparations were accordingly made for storming the redoubt. On the last day of July, in the forenoon, part of brigadier Monckton's brigade was embarked in the boats

boats of the fleet, to be transported from the Point of Levi. The two brigades commanded by the brigadiers Townshend and Murray were drawn out, in order to pass the ford when it should be necessary. To facilitate their passage, the admiral had stationed the Centurion ship of war in the channel, to check the fire of the lower battery, by which the ford was commanded: a numerous train of artillery was placed upon the eminence, to batter and enfilade the left of the enemy's intrenchment; and two flat-bottomed armed vessels, prepared for the purpose, were run aground near the redoubt, to favour the descent of the forces. The manifest confusion produced among the French by these previous measures, and by the fire of the Centurion, which was well directed and sustained, determined Mr. Wolfe to storm this intrenchment without further delay. Orders were issued, that the three brigadiers should put their troops in motion at a certain signal, which was accordingly made at a proper time of the tide. Many of the boats from Point Levi ran aground upon a ledge, that runs off a considerable distance from the shore; and this accident occasioned a disorder, by which so much time was lost, that the general was obliged to stop the march of brigadier Townshend's corps, which he perceived to be in motion. In the mean time, the boats were floated, and ranged in proper order, though exposed to a severe fire of shot and shells; and the general in person sounding the shore, pointed out the place where the troops might disembark with the least difficulty. Thirteen companies of grenadiers, and two hundred men of the second American

An. 1759. rican battalion, were the first who landed. They had received orders to form in four distinct bodies, and begin the attack, supported by the corps of brigadier Monckton, as soon as the other troops should have passed the ford, and be near enough to contribute their assistance. These instructions, however, were intirely neglected, Before Mr. Monckton had landed, and while brigadier Townshend was on his march at a considerable distance, the grenadiers, without waiting, to be drawn up in any regular form, impetuously rushed towards the enemy's intrenchments in the utmost disorder. Their courage served only to increase their misfortune. The first fire they received did such execution among them, that they were obliged to shelter themselves under the redoubt which the French had abandoned at their approach. In this uncomfortable situation they remained some time, unable to form under so hot a fire, notwithstanding the utmost efforts of many gallant officers, who lavishly exposed, and even lost their lives in the honourable discharge of their duty †. The general, seeing

† The following anecdote is so remarkable, and tends so much to the honour of the British soldiery, that we insert it without fear of the reader's disapprobation. Capt. Ochterlony and ensign Peyton belonged to the regiment of brigadier-general Monckton. They were nearly of an age, which did not exceed thirty: the first was a North Briton, the other a native of

Ireland. Both were agreeable in person, and unblemished in character, and connected together by the ties of mutual friendship and esteem. On the day that preceded the battle, capt. Ochterlony had been obliged to fight a duel with a German officer; in which, though he wounded and disarmed his antagonist, yet he himself received a dangerous hurt under the right arm;

seeing all their endeavours abortive, ordered them to retreat and form behind Monckton's brigade, which

arm: in consequence of which his friends insisted on his remaining in camp during the action of next day; but his spirit was too great to comply with this remonstrance. He declared it should never be said that a scratch, received in a private rencounter, had prevented him from doing his duty, when his country required his service; and he took the field with a fusil in his hand, though he was hardly able to carry his arms. In leading up his men to the enemy's entrenchment, he was shot through the lungs with a musket-ball; an accident which obliged him to part with his fusil: but he still continued advancing, until by loss of blood, he became too weak to proceed further. About the same time Mr. Peyton was lamed by a shot which shattered the small bone of his left leg. The soldiers, in their retreat, earnestly begged, with tears in their eyes, that capt. Ochterlony would allow them to carry him and the ensign off the field. But he was so bigotted to a severe point of honour, that he would not quit the ground, though he desired they would take care of his ensign. Mr. Peyton,

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with a generous disdain, rejected their good offices, declaring that he would not leave his captain in such a situation; and in a little time they remained the sole survivors on that part of the field.

Capt. Ochterlony sat down by his friend, and, as they expected nothing but immediate death, they took leave of each other; yet they were not altogether abandoned by the hope of being protected as prisoners: for the captain seeing a French soldier with two Indians approach, started up, and accosting them in the French language, which he spoke perfectly well, expressed his expectation that they would treat him and his companion as officers, prisoners, and gentlemen. The two Indians seemed to be intirely under the conduct of the Frenchman, who coming up to Mr. Peyton, as he sat on the ground, snatched his laced hat from his head, and robbed the captain of his watch and money. This outrage was a signal to the Indians for murder and pillage. One of them, clubbing his firelock, struck at him behind, with a view to knock him down; but the blow missing his head,

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An. 1759.. which was, by this time, landed and drawn up on the beach in good order. They accordingly retired

head, took place upon his shoulder. At the same instant the other Indian poured his shot into the breast of this unfortunate young gentleman, who cried out, "O Peyton! the villain has shot me." Not yet satisfied with cruelty, the barbarian sprung upon him, and stabbed him in the belly with his scalping knife. The captain, having parted with his fusil, had no weapon for his defence, as none of the officers wore swords in the action. The three ruffians, finding him still alive, endeavoured to strangle him with his own sash; and he was now upon his knees, struggling against them with surprising exertion. Mr. Peyton, at this juncture, having a double barrellled musket in his hand, and seeing the distress of his friend, fired at one of the Indians, who dropped dead upon the spot. The other thinking the ensign would now be an easy prey, advanced towards him; and Mr. Peyton, having taken good aim at the distance of four yards, discharged his piece the second time; but it seemed to take no effect. The savage fired in his turn, and wounded the ensign in the shoulder; then rushing

upon him, thrust his bayonet through his body. He repeated the blow, which Mr. Peyton attempting to parry, received another wound in his left hand. Nevertheless, he seized the Indian's musket with the same hand, pulling him forwards, and with his right drawing a dagger which hung by his side, plunged it in the barbarian's side. A violent struggle ensued; but at length Mr. Peyton was uppermost, and, with repeated strokes of his dagger, killed his antagonist outright. Here he was seized with an unaccountable emotion of curiosity, to know whether or not his shot had taken place on the body of the Indian; he accordingly turned him up, and, stripping off his blanket, perceived that the ball had penetrated quite through the cavity of the breast. Having thus obtained a dear-bought victory, he started up on one leg, and saw capt. Ochterlony standing at the distance of sixty yards, close by the enemy's breastwork, with the French soldier attending him. Mr. Peyton then called aloud, "Capt. Ochterlony, I am glad to see you have at last got under protection. Beware of that villain, who is more bar-

retired in confusion, leaving a considerable number lying on the field, to the barbarity of the Indian savages,

barbarous than the savages. God bless you, my dear captain. I see a party of Indians coming this way, and expect to be murdered immediately." A number of those barbarians had for some time been employed on the left in scalping and pillaging the dying and the dead that were left upon the field of battle; and above thirty of these banditti were in full march to destroy Mr. Peyton. This gentleman knew he had no mercy to expect; for, should his life be spared for the present, they would have afterwards insisted upon sacrificing him to the manes of their brethren whom he had slain; and, in that case, he would have been put to death by the most excruciating tortures. Full of this idea, he snatched up his musket, and, notwithstanding his broken leg, ran above forty yards without halting: feeling himself now totally disabled, and incapable of proceeding one step farther, he loaded his piece, and presented it to the two foremost Indians, who stood aloof, waiting to be joined by their fellows: while the French, from their breastwork, kept up a continual fire of cannon

and small arms upon this poor solitary, maimed gentleman. In this uncomfortable situation he stood, when he discerned at a distance an Highland officer, with a party of his men, skirting the plain towards the field of battle. He forthwith waved his hand in signal of distress, and being perceived by the officer, he detached three of his men to his assistance. These brave fellows hastened to him thro' the midst of a terrible fire, and one of them bore him off on his shoulders. The Highland officer was capt. Macdonald, of col. Frazier's battalion; who understanding that a young gentleman, his kinsman, had dropped on the field of battle, put himself at the head of his party, with which he penetrated to the middle of the field, drove a considerable number of French and Indians before him, and finding his relation still unscalped, carried him off in triumph. Poor capt. Ochterlony was conveyed to Quebec, where in a few days he died of his wounds: and after the reduction of that place, the French surgeons who attended him declared, that, in all probability, he

An. 1759. savages, who massacred the living, and scalped the dead, even in sight of their indignant companions. This unhappy accident occasioned a new delay, and the day was already far advanced. The wind began to blow with uncommon violence, and the tide to make ; so that, in case of a second repulse, the retreat of brigadier Townshend might have been rendered hazardous and uncertain : Mr. Wolfe therefore thought proper to desist, and returned without farther molestation to the other side of the river Montmorenci. The admiral ordered the two vessels which were a-ground, to be set on fire, that they might not fall into the hands of the enemy. The advantages that favoured an attack in this part, consisted of the following particulars. All the artillery could be used with good effect ; all the troops could act at once ; and, in case of a miscarriage, the retreat was secure and open, at least, for a certain time of the tide. These, however, seemed to be over-balanced by other considerations. The enemy were posted on a commanding eminence : the beach was covered with deep mud, slippery and broken into holes and gullies : the hill was steep, and in some places impracticable : the enemy

would have recovered of the two shots he had received in his breast, had not he been mortally wounded in the belly by the Indian's scalping knife.

As this very remarkable scene was acted in sight of both armies, general T--nd, in the sequel, expostulated with the French officers upon

the inhumanity of keeping up such a severe fire against two wounded gentlemen, who were disabled and destitute of all hope of escaping. They answered, that the fire was not made by the regulars, but by the Canadians and Savages, whom it was not in the power of discipline to restrain.

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were numerous, and poured in a very severe fire from their intrenchments. Had the attack succeeded, the loss of the English must have been very heavy, and that of the French inconsiderable; because the neighbouring woods afforded them immediate shelter: finally, the river St. Charles still remained to be passed, before the town could be invested.

Immediately after this mortifying check, in which above five hundred men, and many brave officers were lost, the general detached brigadier Murray, with twelve hundred men, in transports above the town, to co-operate with rear-admiral Holmes, whom the admiral had sent up with some force against the French shipping, which he hoped to destroy. The brigadier was likewise instructed to seize every opportunity of fighting the enemy's detachments, and even of provoking them to battle. In pursuance of these directions, he twice attempted to land on the north shore; but these attempts were unsuccessful: the third effort was more fortunate; he made a sudden descent at Chambaud, and burned a considerable magazine, filled with arms, cloathing, provision, and ammunition. The enemy's ships being secured in such a manner, as not to be approached, and nothing else occurring that required the brigadier's longer stay, he returned to the camp, with intelligence obtained from his prisoners, that the fort of Niagara was taken, Crown Point abandoned, and general Amherst employed in making preparations to attack the corps commanded at the Isle aux Noix by Mr. Burlemaque.

Brigadier
Murray is
detached
up the
river.

The disaster at the falls of Montmorenci made a deep impression on the mind of general Wolfe,

An. 1759.
Remarks
on the
situation
of gene-
ral Wolfe.

whose spirit was too great to brook the most distant prospect of censure or disgrace. He knew the character of the English people, rash, impatient, and capricious; elevated to exultation by the least gleam of success, dejected even to despondency by the most inconsiderable frown of adverse fortune: sanguine even to childish hyperbole, in applauding those servants of the public who have prospered in their undertakings; clamorous to a degree of persecution against those who have miscarried in their endeavours; without any investigation of merit; without any consideration of circumstance. A keen sense of these vexatious peculiarities conspiring with the shame of disappointment, an eager desire of retrieving the laurel, that he might by some be supposed to have lost at the falls of Montmorenci, and the despair of finding such an occasion, excited an internal agitation, which visibly affected his external frame, and disordered his whole constitution, which was naturally delicate and tender. Among those who shared his confidence, he was often seen to sigh; he was often heard to complain; and even in the transports of his chagrin, declare, that he would never return without success, to be exposed, as other unfortunate commanders had been, to the censure and reproach of an ignorant and ungrateful populace. This tumult of the mind, added to the fatigues of body he had undergone, produced a fever and dysentery; by which, for some time, he was totally disabled.

He calls a
council of
war,

Before he recovered any degree of strength, he desired the general officers to consult together for the public utility; and it was their opinion, that the



GENERAL WOOLFE.

the points of Levi and Orleans being left in a proper state of defence, the rest of the troops should be conveyed up the river; with a view to draw the enemy from their present situation, and bring them, if possible, to an engagement. This measure, however, was not adopted, until the general and admiral had reconnoitred the town of Quebec, with a view to a general assault, and concluded from their own observation, reinforced by the opinion of the chief engineer, who was perfectly well acquainted with the interiors of the place, that such an attack could not be hazarded with any prospect of success. The ships of war, indeed, might have silenced the batteries of the lower town; but they could not affect the upper works, from which they must have sustained considerable damage.

When we consider the situation of this place, and the fortifications with which it was secured; the natural strength of the country; the great number of vessels and floating batteries they had provided for the defence of the river; the skill, valour, superior force, and uncommon vigilance of the enemy; their numerous bodies of savages continually hovering about the posts of the English, to surprize parties and harrafs detachments; we must own that there was such a combination of difficulties, as might have discouraged and perplexed the most resolute and intelligent commander.

In consequence of the resolution taken to quit the camp at Montmorenci, the troops and artillery were reembarked and landed at Point Levi: they afterwards passed up the river in transports, while admiral Holmes made a movement with his ships, to amuse the enemy posted on the north shore:

An. 1759. and the men being much crowded on board, the general ordered one half of them to be landed for refreshment on the other side of the river. As no possibility appeared of annoying the enemy above the town, the scheme of operations was totally changed. The three brigadiers formed, and presented a plan for conveying the troops farther down in boats, and landing them in the night within a league of cape Diamond, in hope of ascending the heights of Abraham, which rise abruptly, with a steep ascent from the banks of the river, that they might take possession of the ground on the back of the city, where it was but indifferently fortified. The dangers and difficulties attending the execution of this design were so peculiarly discouraging, that one would imagine it could not have been embraced but by a spirit of enterprize that bordered on desperation. The stream was rapid; the shore shelving; the bank of the river lined with centinels; the landing place so narrow as to be easily missed in the dark; and the ground so difficult as hardly to be surmounted in the day-time, had no opposition been expected. If the enemy had received the least intimation from spy or deserter, or even suspected the scheme: had the embarkation been disordered, in consequence of the darkness of the night, the rapidity of the river, or the shelviness of the north-shore, near which they were obliged to row: had one centinel been alarmed; or the landing-place much mistaken; the heights of Abraham must have been instantly secured, by such a force as would have rendered the undertaking abortive, confusion would have necessarily ensued in the dark; and this would have naturally
pro-

produced a panic, which might have proved fatal to the greater part of the detachment. These objections could not escape the penetration of the gallant Wolfe, who, nevertheless, adopted the plan without hesitation; and even executed it in person; tho' at that time labouring under a severe dysentery and fever, which had exhausted his constitution, and reduced him almost to an extremity of weakness.

The previous steps being taken, and the time fixed for this hazardous attempt, admiral Holmes moved with his squadron farther up the river, about three leagues above the place appointed for the disembarkation; that he might deceive the enemy, and amuse Mr. de Bougainville, whom Montcalm had detached with fifteen hundred men to watch the motions of that squadron; but the English admiral was directed to sail down the river in the night, so as to protect the landing of the forces; and these orders he punctually fulfilled. On the twelfth day of September, an hour after midnight, the first embarkation, consisting of four complete regiments, the light infantry, commanded by colonel Howe, a detachment of Highlanders, and the American grenadiers, was made in flat-bottomed boats, under the immediate command of the brigadiers Monckton and Murray; though general Wolfe accompanied them in person, and was among the first who landed, and they began to fall down with the tide, to the intended place of disembarkation; rowing close to the north shore, in order to find it the more easily. Without any disorder the boats glided gently along; but, by the rapidity of the tide, and the dark-

The troops land at the heights of Abraham,

An. 1759. darkness of the night, the boats overshot the mark, and the troops landed a little below the place at which the disembarkation was intended *. As the troops landed, the boats were sent back for

* How far the success of this attempt depended upon accident, may be conceived from the following particulars.—In the twilight two French deserters were carried on board a ship of war, commanded by captain Smith, and laying at anchor near the North shore. They told him, that the garrison of Quebec expected that night to receive a convoy of provisions, sent down the river in boats, from the detachment above, commanded by Mr. de Bougainville. These deserters standing upon deck, and perceiving the English boats, with the troops, gliding down the river in the dark, began to shout, and make a noise; declaring they were part of the expected convoy. Captain Smith, who was ignorant of general Wolfe's design, believing their affirmation, had actually given orders to point the guns at the British troops; when the general perceiving a commotion on board, rowed along-side in person, and prevented the discharge, which would have alarmed the town, and entirely frustrated the attempt.

The French had posted sentries along-shore, to chal-

lenge boats and vessels, and give the alarm occasionally. The first boat that contained the English troops, being questioned accordingly, a captain of Fraser's regiment, who had served in Holland, and who was perfectly well acquainted with the French language and customs, answered, without hesitation, to *Qui vit*, which is their challenging word, *la France*: nor was he at a loss to answer the second question, which was much more particular and difficult. When the sentinel demanded *a quel regiment?* to what regiment? the captain replied *de la Reine*, which he knew, by accident, to be one of those that composed the body commanded by Bougainville. The soldier took it for granted, this was the expected convoy; and saying *passé*, allowed all the boats to proceed without further question. In the same manner, the other sentries were deceived; tho' one more wary than the rest, came running down to the water's edge; and called, *pourquoy est que vous ne parlez plus haut?*

"Why don't you speak with an audible voice?" To this interrogation, which implied

the second embarkation, which was superintended by brigadier Townshend. In the mean time colonel Howe, with the light infantry and the Highlanders, ascended the woody precipices with admirable courage and activity; and dislodged a captain's guard, which defended a small intrenched narrow path, by which alone the rest of the forces could reach the summit. Then they mounted, without further molestation from the enemy, and the general drew them up in order, as they arrived. Monsieur de Montcalm no sooner understood that the English had gained the heights of Abraham, which in a manner commanded the town on its weakest part, than he resolved to hazard a battle, and began his march without delay; after hav-

plied doubt, the captain answered with admirable presence of mind, in a soft tone of voice, *Tai toi, nous serons entendues!* "Hush! we shall be overheard and discovered." Thus cautioned, the sentry retired without farther altercation. The midshipman who piloted the first boat, passing by the landing-place in the dark, the same captain, who knew from his having been posted formerly with his company on the other side of the river, insisted upon the pilot's being mistaken, and commanded the rowers to put ashore in the proper place, or at least very near it.

When general Wolfe landed, and saw the difficulty of ascending the precipice, he said to the same officer, in a familiar strain, "I don't believe there is any possibility of getting up; but you must do your endeavour." The narrow path that slanted up the hill from the landing-place, the enemy had broken up and rendered impassable by cross ditches; beside the intrenchment at the top: in every other part the hill was so steep and dangerous, that the soldiers were obliged to pull themselves up by the roots and boughs of trees, growing on both sides of the path.

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An. 1759. ing collected his whole force from the side of Beauport.

Battle of
Quebec.

General Wolfe, perceiving the enemy crossing the river St. Charles, began to form his own line, which consisted of six battalions, and the Louifbourg grenadiers; the right commanded by brigadier Monckton, and the left by brigadier Murray: to the rear of the left colonel Howe was posted with his light infantry, just returned from a four gun battery, which they had taken without opposition. Mr. de Montcalm, advancing in such a manner as to shew his intention was to flank the left of the English, brigadier Townshend was sent thither with the regiment of Amherst, which he formed *en potence*, presenting a double front to the enemy; he was afterwards reinforced by two battalions; and the reserve consisted of one regiment drawn up in eight subdivisions, with large intervals. The right of the enemy was composed of half the colony troops, two battalions, and a body of Canadians and savages; their centre consisted of a column, formed by two other regular battalions; and on the left, one battalion, with the remainder of the colony troops, was posted: the bushes and corn-fields in their front were lined with fifteen hundred of their best marksmen, who kept up an irregular galling fire, which proved fatal to many brave officers, thus singled out for destruction. This fire, indeed, was in some measure checked by the advanced posts of the British line; who piquered with the enemy for some hours before the battle began. Both armies were destitute of artillery, except two small pieces on the side of the French, and a single gun, which the English seamen

men had made shift to draw up from the landing-
place. This was very well served, and galled their
column severely. At length, about nine in the
morning, the enemy advanced to the charge with
great order and vivacity, though their fire was ir-
regular and ineffectual. On the contrary, the Bri-
tish forces reserved their shot, until the French had
approached within forty yards of their line: then
they poured in a terrible discharge, and continued
the fire with such deliberation and spirit, as could
not fail to produce a very considerable effect. Ge-
neral Wolfe was stationed on the right, at the head
of Bragg's regiment, and the Lounsbourg grena-
diers, where the attack was most warm. As he
stood conspicuous in the front of the line, he had
been aimed at by the enemy's marksmen; and re-
ceived a shot in the wrist, which, however, did not
oblige him to quit the field. Having wrapped a
handkerchief round his hand, he continued giving
orders without the least emotion; and advanced at
the head of the grenadiers, with their bayonets fixed,
when another ball unfortunately pierced the breast
of this young hero †, who fell in the arms of vic-
tory, just as the enemy gave way: for, at this very
instant, every separate regiment of the British ar-
my seemed to exert itself for the honour of its

† When the fatal ball took
place, general Wolfe, find-
ing himself unable to stand,
leaned upon the shoulder of
a lieutenant, who sat down
for that purpose. This offi-
cer seeing the French give
way, exclaimed, "They run!
they run!" "Who run!"

cried the gallant Wolfe, with
great eagerness. When the
lieutenant replied, "The
French." "What! (said he)
do the cowards run al-
ready? then I die happy."
So saying, the glorious youth
expired.

An. 1759. own peculiar character. While the right pressed on with their bayonets, brigadier Murray briskly advanced with the troops under his command, and soon broke the centre of the enemy; then the Highlanders drawing their broad swords, fell in among them with irresistible impetuosity, and drove them with great slaughter into the town, and the works they had raised at the bridge of the river St. Charles. On the left and rear of the English, the action was not so violent. Some of the light infantry had thrown themselves into houses, where, being attacked, they defended themselves with great courage and resolution. Colonel Howe having taken post with two companies behind a small copse, sallied out frequently on the flanks of the enemy, during this attack; and often drove them into heaps; while brigadier Townshend advanced platoons against their front: so that the right wing of the French were totally prevented from executing their first intention. The brigadier himself remained with Amherst's regiment, to support this disposition, and to over-awe a body of savages, posted opposite to the light infantry; waiting for an opportunity to fall upon the rear of the British army. General Wolfe being slain, and, at the same time, Mr. Monckton dangerously wounded at the head of Lascelles's regiment, where he distinguished himself with remarkable gallantry, the command devolved to brigadier Townshend, who hastened to the centre; and finding the troops disordered in the pursuit, formed them again with all possible expedition. This necessary task was scarce performed, when M. de Bougainville, with a body of two thousand fresh men, appeared in the rear

rear of the English. He had begun his march from cape Rouge, as soon as he received intelligence that the British troops had gained the heights of Abraham; but did not come up in time to have any share in the battle. An. 1759.

Mr. Townshend immediately ordered two battalions, with two pieces of artillery, to advance against this officer, who retired, at their approach, among woods and swamps; when general Townshend very wisely declined hazarding a precarious attack. He had already obtained a complete victory; taken a great number of French officers; and was possessed of a very advantageous situation, which it would have been imprudent to forego. The French general Mr. de Montcalm was mortally wounded in the battle, and conveyed into Quebec, from whence, before he died, he wrote a letter to general Townshend, recommending the prisoners to that generous humanity by which the British nation is distinguished. His second in command was left wounded on the field, and next day expired on board an English ship, to which he had been conveyed. About one thousand of the enemy were made prisoners, including a great number of officers; and about five hundred were slain on the field of battle. The wreck of their army, after they had reinforced the garrison of Quebec, retired to Point au Tremble, from whence they proceeded to Jaques Quartiers, where they remained intrenched, until they were compelled by the severity of the weather to make the best of their way to Trois Rivières and Montreal.

This important victory was obtained at the expence of fifty men killed, including nine officers;

An. 1759.

Eulogium on
general
Wolfe.

and of about five hundred men wounded; but the death of general Wolfe was a national loss, universally lamented. He inherited from nature, an animating fervour of sentiment, an intuitive perception, an extensive capacity, and a passion for glory, which stimulated him to acquire every species of military knowledge that study could comprehend; that actual service could illustrate and confirm. This noble warmth of disposition seldom fails to call forth and unfold the liberal virtues of the soul. Brave above all estimation of danger, he was also generous, gentle, complacent, and humane; the pattern of the officer, the darling of the soldier; there was a sublimity in his genius, which soared above the pitch of ordinary minds; and had his faculties been exercised to their full extent by opportunity and action; had his judgment been fully matured by age and experience, he would, without doubt, have rivalled in reputation the most celebrated captains of antiquity.

Surrender of
Quebec.

Immediately after the battle of Quebec, admiral Saunders, who, together with his subordinates, Durell and Holmes, had all along co-operated heartily with the land-forces for the advantage of the service, sent up all the boats of the fleet, with artillery and ammunition; and, on the seventeenth day of the month, sailed up, with all the ships of war, in a disposition to attack the lower town; while the upper part should be assaulted by general Townshend. This gentleman had employed the time from the day of action, in securing the camp with redoubts; in forming a military road for the cannon; in drawing up the artillery; preparing batteries; and cutting off the enemy's

communication with the country. On the seventeenth, before any battery could be finished, a flag of truce was sent from the town, with proposals of capitulation; which, being maturely considered by the general and admiral, were accepted and signed at eight next morning *.

* *Articles of Capitulation demanded by M. de Ramsey, Commander for his Most Christian Majesty in the Higher and Lower Town of Quebec, Knight of the Military Order of St. Lewis, from his Excellency the General commanding his Britannic Majesty's forces.*

Article I. M. de Ramsey demands the honours of war for his garrison, and that it shall be conducted back to the army in safety by the shortest road, with their arms, baggage, six pieces of brass cannon, two mortars or howitzars, and twelve rounds.---The garrison of the town, composed of land forces, marines, and sailors, shall march out with their arms and baggage, drums beating, lighted matches, with two pieces of cannon, and twelve rounds, and shall be embarked as conveniently as possible, in order to be landed at the first port in France.

Article II. That the inhabitants shall be maintained in the possession of their houses, goods, effects, and privileges.

Numb. 25.

---Granted, provided they lay down their arms.

Article III. That the said inhabitants shall not be molested on account of their having borne arms for the defence of the town, as they were forced to it, and as it is customary for the inhabitants of the colonies of both crowns to serve as militia.---Granted.

Article IV. That the effects belonging to the absent officers or inhabitants, shall not be touched.---Granted.

Article V. That the said inhabitants shall not be removed, nor obliged to quit their houses, until their condition shall be settled by a definitive treaty between their Most Christian and British majesties.---Granted.

Article VI. That the exercise of the catholic and Roman religion shall be preserved, and that safe-guards shall be granted to the houses of the clergy, and to the monasteries, particularly to the bishop of Quebec, who, animated with zeal for religion, and charity for the people of his diocese, desires to reside

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An. 1759.

They granted the more favourable terms, as the enemy continued to assemble in the rear of the British army; as the season was become wet, stor-

constantly in it, to exercise freely and with that decency which his character and the sacred mysteries of the Catholic, apostolic, and Roman religion require, his episcopal authority in the town of Quebec, wherever he shall think it proper, until the possession of Canada shall have been decided by a treaty between their Most Christian and Britannic majesties.—The free exercise of the Roman religion. Safe-guards granted to all religious persons, as well as to the bishop, who shall be at liberty to come and exercise freely and with decency the functions of his office wherever he shall think proper, until the possession of Canada shall have been decided between their Britannic and Most Christian majesties.

Article VII. That the artillery and warlike stores shall be delivered up *bonâ fide*, and an inventory taken thereof.—Granted.

Article VIII. That the sick, wounded, commissaries, chaplains, physicians, surgeons, apothecaries, and other persons employed in the hospitals, shall be treated agreeable to the cartel settled between their Most Chri-

tian and Britannic majesties on the 6th of February, 1759.—Granted.

Article IX. That, before delivering up the gate, and the entrance of the town, to the English forces, their general will be pleased to send some soldiers to be placed as safe-guards at the churches, convents, and chief habitations.—Granted.

Article X. That the commander of the city of Quebec shall be permitted to send advice to the marquis de Vaudreuil, governor-general, of the reduction of the town; as also that this general shall be allowed to write to the French ministry, to inform them thereof.—Granted.

Article XI. That the present capitulation shall be executed according to its form and tenour, without being liable to non-execution under pretence of reprisals, or the non-execution of any preceding capitulation.—Granted.

The present treaty has been made and settled between us, and duplicates signed at the camp before Quebec, the 18th of September, 1759.

CHARLES SAUNDERS,
GEORGE TOWNSHEND,
DE RAMSAY.

my,



GENERAL TOWNSHEND.

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iny, and cold; threatening the troops with sickness, and the fleet with accident; and as a considerable advantage would result from taking possession of the town while the walls were in a state of defence. What rendered the capitulation still more fortunate for the British general, was the information he afterwards received from deserters, importing, that the enemy had rallied, and were reinforced behind cape Rouge, under the command of Mr. de Levy, arrived from Montreal for that purpose, with two regular battalions; and that Mr. de Bougainville, at the head of eight hundred men, with a convoy of provisions, was actually on his march to throw himself into the town on the eighteenth, that very morning on which it was surrendered: for the place was not then completely invested, as the enemy had broke their bridge of boats, and posted detachments in very strong works, on the other side of the river St. Charles.

The capitulation was no sooner ratified, than the British forces took possession of Quebec on the land-side, and guards were posted in different parts of the town, to preserve order and discipline: at the same time, captain Palliser, with a body of seamen, entered the lower town, and took the same precautions. Next day, about a thousand prisoners were embarked on board of transports, which proceeded to France with the first opportunity: in the mean time, the inhabitants of the country came in great numbers, to deliver up their arms, and take the oath of fidelity to the English government. The death of Montcalm, which was indeed an irreparable loss to France, in all probability, overwhelmed the enemy with consternation; and confounded all

An. 1759. their councils : otherwise we cannot account for the tame surrender of Quebec to a handful of troops, even after the victory they had obtained : for although the place was not regularly fortified on the land side, and most of the houses were in ruins, their walls and parapets had not yet sustained the least damage ; the besiegers were hardly sufficient to complete the investiture ; a fresh army was assembled in the neighbourhood, with which their communication continued open ; the season was so far advanced, that the British forces in a little time must have been forced to desist, by the severity of the weather, and even retire with their fleet before the approach of winter, which never fails to freeze up the river of St. Laurence.

Rejoicings in
England.

Immediately after the action at the falls of Montmorenci, general Wolfe had dispatched an officer to England with a detail of that disaster, written with such elegance and accuracy, as would not have disgraced the pen of a Cæsar. Though the public acquiesced in his conduct, they were exceedingly mortified at his miscarriage ; and this mortification was the greater, as he seemed to despair of being able to strike any other stroke of importance, for the accomplishment of their hope, which had aspired at the absolute conquest of Canada. The first transports of their chagrin were not yet subsided, when colonel Hale arrived in the ship Alcide, with an account of the victory and surrender of Quebec ; which was immediately communicated to the people in an extraordinary Gazette. The joy which this excited among the populace, rose in proportion to the despondence which the former had produced : all was rapture and riot ; all was triumph
and

and exultation; mingled with the praise of the accomplished Wolfe, which they exalted even to a ridiculous degree of hyperbole. The king expressed his satisfaction, by conferring the honour of knighthood upon captain Douglas, whose ship brought the first tidings of this success; and gratified him and colonel Hale with considerable presents. A day of solemn thanksgiving was appointed by proclamation through all the dominions of Great Britain. The city of London*, the universities,

* *The humble Address of the Lord-Mayor, Aldermen, and Commons of the City of London, in Common Council assembled.*

May it please your Majesty,

To accept the most humble but warmest congratulations of your Majesty's dutiful and loyal subjects, the lord mayor, aldermen, and commons of the city of London, in common council assembled, upon the rapid and uninterrupted series of victories and successes, which, under the divine blessing, have attended your majesty's army by sea and land, within the compass of this distinguished and ever-memorable year.

The reduction of Fort du Quesne on the Ohio; of the island of Goree in Africa; and of Guadaloupe, with its dependencies in the West-Indies; the repulse and defeat of the whole French army

by a handful of infantry in the plains of Minden;---the taking of Niagara, Ticonderoga, and Crown-Point;---the naval victory off Cape Lagos;-----the advantages gained over the French nation in the East-Indies;---and, above all, the conquest of Quebec, (the capital of the French empire in North-America) in a manner so glorious to your majesty's arms, against every advantage of situation and superior numbers, are such events, as will for ever render your majesty's auspicious reign the favourite æra in the history of Great-Britain.

But whilst we reflect with surprise and gratitude upon this last and most important conquest, permit us, gracious sovereign, to express our great regard for the immense (tho' almost only) loss which has attended it, in the death of

An. 1759. versities, and many other corporations of the kingdom, presented congratulatory addresses to his majesty. The parliament was no sooner assembled, than the secretary of state, in the house of commons, with that energy of eloquence peculiar to himself, expatiated upon the successes of the campaign, the transcendent merit of the deceased general; the conduct and courage of the admirals and officers who assisted in the conquest of Quebec. In consequence of this harangue, and the motion by which it was succeeded, the house unanimously resolved to present an address, desiring his majesty would order a monument to be erected in Westminster-abbey, to the memory of major general Wolfe: at the same time they passed another resolution, that the thanks of the house should be given to the surviving generals

that gallant general, whose abilities formed, whose courage attempted, and whose conduct happily effected the glorious enterprise in which he fell, leaving to future times an heroic example of military skill, discipline, and fortitude.

Measures of such national concern, so invariably pursued, and acquisitions of so much consequence to the power and trade of Great-Britain, are the noblest proofs of your majesty's paternal affection, and regard for the true interest of your kingdoms, and reflect honour upon those, whom your ma-

jesty has been pleased to admit into your council, or to intrust with the conduct of your fleets and armies.

These will ever command the lives and fortunes of a free and grateful people, in defence of your majesty's sacred person, and royal family, against the attempts of all your enemies. And we humbly trust, that Almighty God will bless your majesty's salutary intentions with a continuance of success, and thereby, in time, lead us to a safe and honourable peace.

Signed by order of court,

JAMES HODGES.
and

and admirals, employed in the glorious and successful expedition to Quebec. Testimonies of this kind, while they reflect honour upon the character of the nation, never fail to animate individuals to a spirited exertion of their talents in the service of the public.

Benevolence of the public.

The people of England were so elevated by the astonishing success of this campaign, which was also prosperous on the continent of Europe, that far from expressing the least sense of the enormous burthens which they bore; they, with a spirit peculiar to the British nation, voluntarily raised large contributions, to purchase warm jackets, stockings, shoes, coats, and blankets, for the soldiers, who were exposed to the rigours of an inclement sky, in Germany and America. But they displayed a more noble proof of unrestrained benevolence, extended even to foes. The French ministry, straitened in their finances, which were found scarce sufficient to maintain the war, had sacrificed their duty to their king, and every sentiment of compassion for his unhappy subjects, to a thirst of vengeance, and sanguinary views of ambition. They had withdrawn the usual allowance from their subjects, who were detained prisoners in England; and those wretched creatures, amounting in number to near twenty thousand, were left to the mercy of those enemies whom their sovereign had taken such pains to exasperate. The allowance with which they were indulged by the British government effectually secured them from the horrors of famine: but still they remained destitute of other conveniences, and particularly exposed to the miseries of cold and nakedness. The generous English beheld these for-

An. 1759. Iorn captives with sentiments of sympathy and compassion : they considered them as their fellow creatures and brethren in humanity, and forgot their country while they beheld their distress. A considerable subscription was raised in their behalf ; and in a few weeks they were completely cloathed by the charity of their British benefactors. This beneficent exertion was certainly one of the noblest triumphs of the human mind, which even the most inveterate enemies of Great Britain cannot but regard with reverence and admiration.

The city of Quebec being reduced, together with great part of the circumjacent country, brigadier Townshend, who had accepted his commission with the express proviso, that he should return to England at the end of the campaign, left a garrison of five thousand effective men, victualled from the fleet, under the command of brigadier Murray ; and embarking with admiral Saunders, arrived in Great Britain about the beginning of winter. As for brigadier Monckton, he was conveyed to New York, where he happily recovered of his wound.

Siege of
Madrafs
in the
East-Indies.

While the arms of Great Britain triumphed in Europe and America, her interest was not suffered to languish in other parts of the world. This was the season of ambition and activity, in which every separate armament, every distinct corps, and every individual officer, seemed to exert themselves with the most eager appetite of glory. The East-Indies, which, in the course of the preceding year, had been the theatre of operations carried on with various success, exhibited nothing now but a succession of trophies to the English commanders. The
Indian

Indian transactions of the last year, we interrupted at that period when the French general Lally was employed in making preparations for the siege of Madras. In the month of October he had marched into Arcot without opposition; and in the beginning of December, he advanced towards Madras. On the twelfth he marched over Choultry plain, in three divisions, cannonaded by the English artillery with considerable effect, and took post at Egmore and St. Thome. Colonel Laurence, who commanded the garrison of Madras, retired to the island, in order to prevent the enemy from taking possession of the island-bridge; and at the same time ordered the posts to be occupied in the black town, or suburbs of Madras. In the morning of the fourteenth, the enemy marching with their whole forces to attack this place, the English detachments retreated into the garrison; and within the hour a grand sally was made, under the command of colonel Draper, a gallant officer, who signalized himself remarkably on this occasion. He attacked the regiment of Lorraine with great impetuosity; and, in all probability, would have cut them off, had not they been sustained by the arrival of a fresh brigade. After a very warm dispute, in which many officers, and a good number of men were killed on each side, colonel Draper was obliged to retreat, not altogether satisfied with the conduct of his grenadiers. As the garrison of Madras was not very numerous, nothing further was attempted on their side without the works. In the mean time the enemy used all their diligence in erecting their batteries against the fort and town; which being opened on the sixth day of January, maintained a
con-

An. 1759. continued discharge of shot and shells for twenty days, advancing their trenches all the time under cover of this fire, until they reached the breast of the glacis. There they erected a battery of four pieces of cannon, and opened it on the last day of the month; but for five days successively, they were obliged to close their embrasures by the superior fire of the fort, and at length to abandon it intirely: nevertheless, they still maintained a severe fire from the first grand battery, which was placed at the distance of four hundred and fifty yards from the defences. This artillery was so well served, as to disable twenty-six pieces of cannon, three mortars, and effect an inconsiderable breach. Perhaps they might have had more success, had they battered in breach from the beginning; but Mr. Lally, in order to intimidate the inhabitants, had cruelly bombarded the town and demolished the houses: he was, however, happily disappointed in his expectation, by the wise and resolute precautions of governor Pigot; by the vigilance, conduct, and bravery of the colonels Laurence and Draper, seconded by the valour and activity of major Brereton, and the spirit of the inferior officers. The artillery of the garrison was so well managed, that, from the fifth day of February, the fire of the enemy gradually decreased from twenty three to six pieces of cannon: nevertheless, they advanced their sap along the sea side, so as to embrace intirely the north-east angle of the covered way, from whence their musquetry drove the besieged. They likewise endeavoured to open a passage into the ditch by a mine; but sprung it so injudiciously, that they could make

An. 1759.

no advantage of it, as it lay exposed to the fire of several cannon. While these operations were carried on before the town, major Caillaud with a body of sipoys, some of the country horse, and a few Europeans, drawn from the English garrisons of Trichenapally and Chingliput, hovered at the distance of a few miles; blocking up the roads in such a manner, that the enemy were obliged, four several times, to send large detachments against him, in order to open the communication: thus the progress of the siege was in a great measure retarded. On the sixteenth day of February in the evening, the Queenborough ship of war, commanded by captain Kempenfelt, and the company's ship the Revenge, arrived in the road of Madras, with a reinforcement of six hundred men, belonging to colonel Draper's regiment: and part of them was immediately disembarked. From the beginning of the siege, the enemy had discovered a backwardness in the service, very unsuitable to their national character. They were ill supplied by their commissaries and contractors: they were discouraged by the obstinate defence of the garrison; and all their hope of success vanished at the arrival of this reinforcement. After a brisk fire, they raised the siege that very night, abandoning forty pieces of cannon; and, having destroyed the powder-mills at Ogmore, retreated to the territory of Arcot †.

† The chagrin and mortification of Lally, are strongly marked in the following intercepted letter to Mr. de Legret, dated from the camp before Madras.

“ A good blow might be struck here: there is a ship in the road, of 20 guns, laden with all the riches of Madras, which it is said will remain there till the 20th.

The

An. 1759.

The English forces in the East-Indies, being as yet too weak to cope with Lally in the field, little detached expeditions were planned and executed

The Expedition is just arrived, but M. Gorlin is not a man to attack her; for she has made him run away once before. The Bristol, on the other hand, did but just make her appearance before St. Thomas; and on the vague report of 13 ships coming from Porto Novo, she took fright; and after landing the provisions with which she was laden, she would not stay long enough, even to take on board 12 of her own guns, which she had lent us for the siege.

If I was the judge of the point of honour of the company's officers, I would break him like glass, as well as some others of them.

The Fidelle, or the Harlem, or even the aforesaid Bristol, with her 12 guns restored to her, would be sufficient to make themselves masters of the English ship, if they could manage so as to get to windward of her in the night. Maugendre and Tremillier are said to be good men; and were they employed only to transport 200 wounded men that we have here, their service would be of importance.

We remain still in the same position: the breach made

these 15 days; all the time within 15 toises of the wall of the place, and never holding up our heads to look at it.

I reckon we shall, at our arrival at Pondicherry, endeavour to learn some other trade; for this of war requires too much patience.

Of 1500 Cipayes which attended our army, I reckon near 800 are employed upon the road of Pondicherry, laden with sugar, pepper, and other goods; and as for the Coulis, they are all employed for the same purpose, from the first day we came here.

I am taking my measures from this day, to set fire to the Black town, and to blow up the powder mills.

You will never imagine that 50 French deserters, and 100 Swiss, are actually stopping the progress of 2000 men of the king's and company's troops, which are still here existing, notwithstanding the exaggerated accounts that every one makes here, according to his own fancy, of the slaughter that has been made of them; and you will be still more surprized, if I tell you that, were it not for the two combats and four battles we sustained, and for the batteries which failed,

with equal vigour and success. Colonel Ford, who commanded the troops in Bengal, obtained a complete victory over the French commander Conflans, in the neighbourhood of Masulipatam, which he afterwards entered in triumph. At the same time captain Richard Maitland was detached from Bombay, with fifteen hundred sipoys, and nine hundred Europeans, on an expedition against the sipoys who possessed the town and castle of Surat. In the month of February, he embarked with his troops on board of the company's armed vessels, and in a few days landed them at a place called Dentiloury, about nine miles from Surat; and here they were encamped for refreshment: in two days

ed, or, to speak more properly, which were unskilfully made, we should not have lost 50 men, from the commencement of the siege to this day. I have wrote to Mr. de Larche, that if he persist in not coming here, let who will raise money upon the Paleagers for me, I will not do it; and I renounce (as I informed you a month ago I would do) meddling directly or indirectly, with any thing whatever, that may have relation to your administration, whether civil or military. For I had rather go, and command the Caffres of Madagascar, than remain in this Sodom; which it is impossible but the fire of the English must destroy, sooner or later, even though that from heaven

should not. I have the honour to be, &c. &c.

Signed, LALLY."

P. S. I think it necessary to apprise you, that, as M. de Soupire has refused to take upon him the command of this army, which I have offered to him, and which he is impowered to accept, by having received from the court a duplicate of my commission, you must of necessity, together with the council, take it upon you. For my part, I undertake only to bring it back, either to Arcotte, or Sadrasse. Send therefore your orders, or come yourselves to command it; for I shall quit it upon my arrival there.

he

An. 1759. he advanced against the French garden, in which a considerable number of the enemy was posted, and drove them from thence, after a very obstinate dispute. Then he erected a battery, from which he battered the wall in breach; but this method appearing tedious, he called a council of war composed of the land and sea-officers, and laid before them the plan of a general attack, which was accordingly executed next morning. The company's grab, and the bomb ketches, being warped up the river in the night, were ranged in a line of battle opposite to the Bundar, which was the strongest fortification that the enemy possessed, and under the fire of these, the troops being landed, took the Bundar by assault. The outward town being thus gained, he forthwith began to bombard the inner town and castle with such fury, that next morning they surrendered both, on condition of being allowed to march out with their effects; and captain Maitland took possession without further dispute. This conquest, which cost about two hundred men, including a few officers, was achieved with such expedition, that he returned to Bombay by the ninth day of April.

Unsuccessful attack upon Wandewash.

The main body of the English forces, which had been centered at Madras, for the preservation of that important settlement, took the field after the siege was raised, and possessed themselves of Conjiveram, a place of great consequence, which, with the fort of Schengelpet, commanded all the adjacent country, and secured the British possessions to the northward. Mr. Lally, sensible of the importance of the post, took the same route, in order to dislodge them; but finding all his attempts ineffectual,

tual, he retired towards Wandewash, where his troops were put into quarters of cantonment. No other operations ensued till the month of September, when major Brereton, who commanded the English forces, being joined by major Gordon with 300 men of colonel Coote's battalion, resolved to attack the enemy in his turn. On the fourteenth day of the month, he began his march from Conjiveram for Wandewash, at the head of four hundred Europeans, seven thousand sipoys, seventy European and three hundred black horse, with fourteen pieces of artillery. In his march he invested and took the fort of Trivitar, from whence he proceeded to the village of Wandewash, where the French, to the number of one thousand, were strongly encamped under the guns of a fort, commanded by a raja, mounting twenty cannon, under the direction of a French gunner. On the thirtieth day of September, the English at two in the morning attacked the village in three different places, and drove them from it, after a very obstinate dispute; but this advantage they were not able to maintain. The black pioneers ran away during the attack; so that proper traverses could not be made in the streets; and at day-break the fort poured in upon them a prodigious discharge of grape-shot, with a considerable effect. The enemy had retired to a dry ditch, which served as an intrenchment, from whence they made furious sallies; and a body of three hundred European horse were already in motion, to fall upon and complete their confusion. In this emergency, they retired in disorder, and might have been intirely ruined, had not the body of reserve effectually covered their retreat; yet

this

An. 1759. this could not be effected without the loss of several officers; and above three hundred men killed and wounded. After this mortifying check, they encamped a few days in sight of the fort, and the rainy season setting in, returned to Conjiveram. The fort of Wandewash was afterwards garrisoned by French and sipoys, and the other forces of the enemy were assembled by brigadier-general de Buffly at Arcot.

Vice-admiral Pocock obtains a third advantage over the French squadron commanded by M. D'Apche.

During these transactions at land, the superiority at sea was still disputed between the English and French admirals. On the first day of September, vice-admiral Pocock sailed from Madras to the southward, in quest of the enemy; and next day descried the French fleet, consisting of fifteen sail, standing to the northward. He forthwith threw out the signal for a general chase, and stood towards them with all the sail he could carry; but the wind abating, he could not approach near enough to engage. During the three succeeding days, he used his utmost endeavours to bring them to a battle, which they still declined, and at last they disappeared. He then directed his course to Pondicherry, on the supposition that they were bound to that harbour; and on the eighth day of the month, perceived them standing to the southward: but he could not bring them to an engagement till the tenth, when Mr. d'Apche, about two in the afternoon, made the signal for battle, and the cannonading began without further delay. The British squadron did not exceed nine ships of the line; the enemy's fleet consisted of eleven; but they had still a greater advantage in number of men and artillery. Both squadrons fought with great impetu-

sity,



ADMIRAL POCOCK.

sity, till about ten minutes after four, when the enemy's rear began to give way : this example was soon followed by their centre : and finally the van, with the whole squadron, bore to the south south-east, with all the canvas they could spread. The British squadron was so much damaged in their masts and rigging, that they could not pursue ; so that M. d'Apche retreated at his leisure unmolested. On the fifteenth, admiral Pocock returned to Madras, where his squadron being repaired by the twenty sixth, he sailed again to Pondicherry, and in the road saw the enemy lying at anchor in line of battle. The wind being off shore, he made the line of battle a-head, and for some time continued in this situation. At length the French admiral weighed anchor, and came forth ; but instead of bearing down upon the English squadron, which had fallen to leeward, he kept close to the wind, and stretched away to the southward. Admiral Pocock finding him averse to another engagement, and his own squadron being in no condition to pursue, he, with the advice of his captains, desisted, and measured back his course to Madras. On the side of the English, above three hundred men were killed in the engagement, including captain Michie, who commanded the Newcastle, captain Gore of the marines, two lieutenants, a master, gunner, and boatswain ; the captains Somerset and Brereton, with about two hundred and fifty men, were wounded, and many of the ships considerably damaged. The loss of the enemy must have been much more considerable ; because the English in battle always fire at the body of the ship ; because the French squadron was crowded with men ; because they

An. 1759. gave way, and declined a second engagement; and finally, because they now made the best of their way to the island of Mauritius, in order to be refitted, having on board general Lally, and some other officers. Thus they left the English masters of the Indian coast; a superiority still more confirmed by the arrival of rear-admiral Cornish with four ships of the line, who had set sail from England in the beginning of the year, and joined admiral Pocock at Madraſs on the eighteenth day of October.

Hostilities by the Dutch in the river of Bengal.

The French were not the only enemies with whom the English had to cope in the East-Indies. The great extension of their trade in the kingdom of Bengal, had excited the envy and avarice of the Dutch factory, who possessed a strong fort at Chinchura in the river of Bengal; and resolved, if possible, to engross the whole salt-petre branch of commerce. They had, without doubt, tampered with the new Nabob, who lay under such obligations to the English, and probably secured his connivance. Their scheme was approved by the governor of Batavia, who charged himself with the execution of it; and, for that purpose, chose the opportunity when the British squadron had retired to the coast of Malabar. On pretence of reinforcing the Dutch garrisons in Bengal, he equipped an armament of seven ships, having on board five hundred European troops, and six hundred Malayese, under the command of colonel Ruffel. This armament having touched at Negapatam, proceeded up the bay, and arrived in the river of Bengal about the beginning of October. Colonel Clive, who then resided at Calcutta, had received information of their design, which he was resolved, at all events, to defeat.

feat. He complained to the Subah, who, upon An. 1759. such application, could not decently refuse an order to the director and council of Hughley, implying, that this armament should not proceed up the river. The colonel at the same time sent a letter to the Dutch commodore, intimating, that as he had received information of their design, he could not allow them to land forces, and march to Chinchura. In answer to this declaration, the Dutch commodore, whose whole fleet had not yet arrived, assured the English commander that he had no intention to send any forces to Chinchura; and begged liberty to land some of his troops for refreshment; a favour that was granted, on condition that they should not advance. Notwithstanding the Subah's order, and his own engagement to this effect, the rest of the ships were no sooner arrived, than he proceeded up the river to the neighbourhood of Tannah-fort, where his forces being disembarked, began their march to Chinchura. In the mean time, by way of retaliating the affront he pretended to have sustained, in being denied a passage to their own factory, he took several small vessels on the river belonging to the English company; and the Calcutta Indiaman, commanded by captain Wilson, homeward-bound, sailing down the river, the Dutchman gave him to understand, that if he presumed to pass, he would sink him without further ceremony. The English captain seeing them run out their guns, as if really resolved to put his threats in execution, returned to Calcutta, where two other India ships lay at an anchor, and reported his adventure to colonel Clive, who forthwith ordered the three ships to prepare for bat-

An. 1759. tle, and attack the Dutch armament. The ships being properly manned, and their quarters lined with salt-petre, they fell down the river, and found the Dutch squadron drawn up in line of battle, in order to give them a warm reception, for which indeed they seemed well prepared; for three of them were mounted with thirty-six guns each; three of them with twenty-six; and the seventh carried sixteen. The duke of Dorset, commanded by captain Forrester, being the first that approached them, dropped anchor close to their line, and began the engagement with a broadside, which was immediately returned. A dead calm unfortunately intervening, this single ship was for a considerable time exposed to the whole fire of the enemy; but a small breeze springing up, the Calcutta and the Hardwick advanced to her assistance, and a severe fire was maintained on both sides, till two of the Dutch ships slipping their cables, bore away, and a third was driven ashore. Their commodore thus weakened, after a few broadsides, struck his flag to captain Wilson; and the other three followed his example. The victory being thus obtained, without the loss of one man on the side of the English, captain Wilson took possession of the prizes, the decks of which were strewed with carnage, and sent the prisoners to colonel Clive at Calcutta. The detachment of troops, which they had landed to the number of eleven hundred men, was not more fortunate in their progress. Colonel Clive no sooner received intelligence that they were in full march to Chinchura, than he detached colonel Forde, with five hundred men from Calcutta, in order to oppose, and put a stop to their march
at

at the French gardens. He accordingly advanced An. 1759. to the northward, and entered the town of Chandanagore, where he sustained the fire of a Dutch party sent out from Chinchura to join and conduct the expected reinforcement. These being routed and dispersed, after a short action, colonel Forde in the morning proceeded to a plain in the neighbourhood of Chinchura, where he found the enemy prepared to give him battle, on the twenty-fifth day of November. They even advanced to the charge with great resolution and activity; but found the fire of the English artillery and battalion so intolerably hot, that they soon gave way, and were totally defeated. A considerable number was killed, and the greater part of those who survived the action, was taken prisoners. During this contest, the Nabob, at the head of a considerable army, observed a suspicious neutrality; and in all likelihood would have declared for the Dutch, had they proved victorious, as he had reason to believe they would from their great superiority in number. But fortune no sooner determined in favour of the English, than he made a tender of his service to the victor, and even offered to reduce Chinchura with his own army.

In the mean time, proposals of accommodation being sent to him by the directors and council of the Dutch factory at Chinchura, a negotiation * ensued,

* *English Demands; with the Dutch Answers thereto.* give full satisfaction to the president and council of Fort William, for the insult offered to the British flag by the

Art. I. The director and council of Chinchura shall

An. 1759. sued, and a treaty was concluded to the satisfaction of all parties. Above three hundred of the prisoners

commanders of the Dutch ships, and for the detention of many of our vessels, which were seized and stopped in the river, contrary to the treaties which subsist between the two nations, and for the other acts of hostility committed by the said ships.

Ans. The director and council of Chinchura declare, that, as they have always been possessed with sentiments of peace, the troubles which have happened to disturb the good understanding between the two nations, have only served to give them a sensible pain; and every thing which has passed below, with respect to the English flag and the insults committed, is without their order, and what they regret, and perhaps done by the people of the ships from a misunderstanding of their orders, with which they hope the governor and council will be fully satisfied.

Art. II. The director and council of Chinchura shall make good, both to the company and individuals, all damages done by the commanders of their ships, whether by their order or not; and shall immediately restore all the vessels, stores, and effects, which may still be in their possession.

Ans. As the Dutch vessels have also been much damaged, the real loss will be willingly made good; but it is to be hoped the governor and council will reflect equitably on this article; and, if they insist upon it, we shall endeavour to satisfy them.

Done at Garhelly, Dec. 1, 1759.

*Richard Becher,
John Cooke,
John Bacheracht,
J. C. Hiss.*

Dutch Demands; with the Answers of the English thereto.

Art. I. That the English shall effect the Nabob's return, or, at least, prevail on him to remain quiet in his camp, without doing us any injury; and that the articles of our agreement be accepted, approved, and confirmed by the Nabob's principal, as far as they concern him, as well for the present as for the future.

Ans. We have already made use of all our interest with the Nabob, and shall continue to engage him to withdraw his arms, the moment the Dutch government has fulfilled his orders. The articles agreed on between the English and Dutch cannot be included in the treaty which

soners entered into the service of Great Britain: An. 1759
the rest embarked on board their ships, which
were

which the government of Hughley may conclude with the Nabob's principal.

Art. II. That what has passed, during the troubles which have now ceased, shall be mutually forgot; and an assurance given of a perfect friendship, fidelity and correspondence, being kept up between the two nations, by their respective chiefs, without permitting any hostility on one side or the other, on any pretence whatsoever; that each shall do his utmost to preserve this good intelligence; and to contribute, as far as possible, to the good of both, without assisting, directly or indirectly, those who would prejudice either.

Ans. Approved, as far as is consistent with the alliance between the Nabob and us, and while friendship subsists between our sovereigns in Europe.

Art. III. As we have neither acted by the declaration of war, nor by commission, our troops and mariners cannot be considered as prisoners of war, subject to a capitulation, but merely as temporary captives; and therefore ought to be set at liberty, with all military honours.

Ans. We don't look up-

on the Dutch officers and troops as our prisoners; but as those of the Nabob; and are therefore ready to release them as soon as they have concluded their treaty with him, except such as are willing to enter into our service, or who demand the protection of the English flag.

Art. IV. That they shall leave us in the free possession of our settlements, commerce, rights, and privileges.

Ans. We have never interrupted the Dutch in their just rights and privileges, nor ever purpose doing it.

Art. V. That all the people, possessions, settlements, lands, houses, ships, and vessels, belonging both to the company and individuals, and every thing belonging thereto, shall be declared free, and restored in presence of the deputies appointed by both parties, in their proper condition.

Ans. All the ships and vessels in our possession shall be restored as soon as our demands are complied with, or on an assurance thereof given by the director and council of Hughley.

Art. VI. These treaties to be exchanged, with the approbation of the directors of

An. 1759. were restored as soon as the peace was ratified, and set out on their return for Batavia.

After

both companies, as soon as possible.

Anf. Granted.

Art. VII. Finally, the two parties shall be reciprocal guarantees for the execution of the preceding articles.

Anf. We do not see any necessity for this article.

Done at Garhelly, Dec. 1, 1759.

John Bacheracht.

J. C. Hiff.

Done at Garhelly, Dec. 3,

1759.

Richard Becker.

John Cooke.

Copy of the Dutch Proposals made to the Chuta Nabob; with his Answers, ratified the 5th of December, 1759.

Art. I. That the purchases and sales of the Dutch company be again made, in the same manner as in former times.

Anf. The purchases and sales of the Dutch company shall be carried on according to custom, excepting the salt-petre of Azimabad, which shall be purchased by the means of Raja Ramnarain Bahadar; nor shall any one molest them.

Art. II. That nobody cause any obstruction in the provision of cloth, &c. at the Au-

rungs, on account of the Dutch company.

Anf. Nobody shall obstruct the provision of cloth, &c. according to the custom of the Aurungs, nor use any violence.

Art. III. That the goods and treasure of the Dutch company be allowed to pass and repass with the Dutch Destuck: that nobody obstruct them, nor any longer demand illicit customs.

Anf. The merchandize of the Dutch company shall pass and repass, by land or water, free from any unprecedented impositions; nor shall any one demand illicit customs.

Art. IV. That payment be made, by the officers of the mint, of Murshedabad, of the balance due to the Dutch company.

Anf. The officers of the mint at Murshedabad shall be made to pay whatever balance is justly and truly due.

Articles agreed on by the Dutch company with the Nabob, and ratified under the Hands and Seals of the Dutch Directors and Council, and the Seal of the company.

I. We will immediately send away the Europeans, Bucasses, and Tilangas, that have been

An. 1759

After all, perhaps the Dutch company meant nothing more than to put their factory of Chinchura on a more respectable footing; and by acquiring greater weight and consequence among the people of the country than they formerly possessed, the more easily extend their commerce in that part of the world. At any rate, it will admit of a dispute among those who profess the law of nature and nations, whether the Dutch company could be justly debarred the privilege of sending a reinforcement to their own garrisons. Be that as it will, the ships were not restored until the factory at Chinchura had given security to indemnify the English for the damage they had sustained on this occasion.

The success of the English company was still more conspicuous on the coast of Coromandel. The governor and council of Madras having received information, that the French general Lally had sent a detachment of his army to the southward, taken Syringham, and threatened Trichinapally with a siege, it was determined that colonel Coote, who had lately arrived from England,

been brought hither in our ships; and we will dismiss the Europeans, Seapoys, and Burundassies, lately entertained.

II. We will bring no more armed forces into the country of Bengal, nor ever make war in the country, nor erect any fortifications, nor make any military preparations.

III. We will entertain no more than 125 European sol-

diers in all our factories established within the three provinces.

IV. We will carry on our trade with peace and quietness; and, in case (which God forbid!) our business should meet with any obstructions, disputes, or oppressions, we will apply for redress to the Nazem of the provinces.

An. 1759. should take the field and endeavour to made a diversion to the southward. He accordingly began his march at the head of seventeen hundred Europeans, including cavalry, and three thousand Blacks, with fourteen pieces of cannon and one howitz. On the twenty-seventh day of November he invested the fort of Wandewash: having made a practicable breach, the garrison, consisting of near nine hundred men, surrendered prisoners of war; and he found in the place forty-nine pieces of cannon, with a great quantity of ammunition. Then he undertook the siege of Carangoly, a fortress commanded by colonel O'Kennely, at the head of one hundred Europeans, and five hundred sipoys. In a few days he dismounted the greater part of their guns; and they submitted, on condition, that the Europeans should be allowed to march out with the honours of war; but the sipoys were disarmed, and dismissed.

Colonel
Coote re-
duces the
fort of
Wande-
wash,

He gives
battle to
general
Lally,
who is
defeated.

General Lally, alarmed at the progress of this brave, vigilant, and enterprising officer, assembled all his forces at Arcot, to the number of two thousand two hundred Europeans, including horse, three hundred Cofferies, and ten thousand black troops, or sipoys, with five and twenty pieces of cannon. Of these he assumed the command in person; and on the tenth day of January began his march, in order to recover Wandewash. Colonel Coote, having received intelligence on the twelfth that he had taken possession of Conjeveram, endeavoured by a forced march to save the place, which they accordingly abandoned at his approach, and pursuing their march to Wandewash, invested the

An. 1759.

the fort without delay. The English commander passed the river Palla, in order to follow the same route; and, on the twenty-first day of the month, understanding that a breach was already made, resolved to give them battle without further delay. The cavalry being formed, and supported by five companies of sipoys, he advanced against the enemy's horse, which, being at the same time galled by two pieces of cannon, retired with precipitation. Then colonel Coote, having taken possession of a tank which they had occupied, returned to the line, which was by this time formed in order of battle. Seeing the men in high spirits, and eager to engage, he ordered the whole army to advance; and by nine in the morning they were within two miles of the enemy's camp, where they halted about half an hour. During this interval, the colonel reconnoitered the situation of the French forces, who were very advantageously posted, and made a movement to the right, which obliged them to alter their disposition. They now advanced, in their turn, within three quarters of a mile of the English line; and the cannonading began with great fury on both sides. About noon their European cavalry coming up with a resolute air to charge the left of the English, colonel Coote brought up some companies of sipoys, and two pieces of cannon, to sustain the horse, which were ordered to oppose them; and these advancing on their flank, disturbed them so much that they broke, and were driven by the English cavalry above a mile from the left, upon the rear of their own army. Mean while, both
lines

An. 1759. lines continued advancing to each other; and about one o'clock the firing with small arms began with great vivacity. One of the French tumbrils being blown up by an accidental shot, the English commander took immediate advantage of their confusion. He ordered major Brereton to wheel Draper's regiment to the left, and fall upon the enemy's flank. This service was performed with such resolution and success, that the left wing of the French was completely routed, and fell upon their centre, now closely engaged with the left of the English. About two in the afternoon their whole line gave way, and fled towards their own camp, which, perceiving themselves closely pursued, they precipitately abandoned, together with twenty-two pieces of cannon. In this engagement they lost about eight hundred men, killed and wounded, besides about fifty prisoners, including brigadier-general de Buffy, the chevalier Godeville, quarter-master-general, lieutenant colonel Murphy, three captains, five lieutenants, and some other officers. On the side of the English two hundred and sixty-two were killed or wounded, and among the former the gallant and accomplished major Brereton, whose death was a real loss to his country.

He conquers the province of Arcot.

General Lally having retreated with his broken troops to Pondicherry, the baron de Vasserot was detached towards the same place, with a thousand horse and three hundred sipoys, to ravage and lay waste the French territory.

In the mean time, the indefatigable colonel Coote undertook the siege of Chilliput, which in

two days was surrendered by the chevalier de Til-
ly, himself and his garrison remaining prisoners of
war. Such also was the fate of fort Timmery,
which being reduced, the colonel prosecuted his
march to Arcot, the capital of the province, against
the fort of which he opened his batteries on the
fifth day of February. When he had carried on
his approaches within sixty yards of the crest of
the glacis, the garrison, consisting of two hundred
and fifty Europeans, and near three hundred si-
poys, surrendered as prisoners of war; and here
the English commander found two and twenty
pieces of cannon, four mortars, and a great quan-
tity of all kind of military stores.

Thus the campaign was gloriously finished with
the conquest of Arcot, after the French army had
been routed and ruined by the diligence of colonel
Coote, whose courage, conduct, and activity, can-
not be sufficiently admired. . The reader will per-
ceive, that, rather than interrupt the thread of such
an interesting narration, we have ventured to en-
croach upon the annals of the year one thousand
seven hundred and sixty.

Having thus followed the British banners
through the glorious tracks they pursued in
different parts of Asia and America; we must
now convert our attention to the continent of
Europe, where the English arms, in the course of
this year, triumphed with equal lustre and ad-
vantage. But first it may be necessary to sketch
out the situations in which the belligerent pow-
ers were found at the close of winter. The vicis-
situdes of fortune, with which the preceding cam-
paign

State of
the belli-
gerant
powers
in Eu-
rope.

An. 1759. paign had been checquered, were sufficient to convince every potentate concerned in the war, that neither side possessed such a superiority in strength or conduct, as was requisite to impose terms upon the other. Battles had been fought with various success; and surprising efforts of military skill had been exhibited, without producing one event which tended to promote a general peace, or even engender the least desire of accommodation: on the contrary, the first and most violent transports of animosity had by this time subsided into a confirmed habit of deliberate hatred; and every contending power seemed more than ever determined to protract the dispute; while the neutral states kept aloof, without expressing the least desire of interposing their mediation. Some of them were restrained by considerations of conveniency; and others waited in suspense for the death of the Spanish monarch, as an event which they imagined would be attended with very important consequences in the southern parts of Europe. With respect to the maintenance of the war, whatever difficulties might have arisen in settling funds to support the expence, and finding men to recruit the different armies, certain it is all these difficulties were surmounted before the opening of the campaign. The court of Vienna, tho' hampered by the narrowness of its finances, still found resources in the fertility of its provinces, in the number and attachment of its subjects, who, more than any other people in Europe, acquiesce in the dispositions of their sovereign; and, when pay cannot be afforded, willingly contribute free quarters for the subsistence of the army. The
Cza-

An. 1759.

Czarina, though she complained that the stipulated subsidies were ill payed, nevertheless persisted in pursuing those favourite aims which had for some time influenced her conduct; namely, her personal animosity to the king of Prussia, and her desire of obtaining a permanent interest in the German empire. Sweden still made a shew of hostility against the Prussian monarch; but continued to slumber over the engagements she had contracted. France, exhausted in her finances, and abridged of her marine commerce, maintained a resolute countenance, supplied fresh armies for her operations in Westphalia, projected new schemes of conquest, and caajoed her allies with fair promises, when she had nothing more solid to bestow. The king of Prussia's dominions were generally drained, or in the hands of the enemy; but, to ballance these disadvantages, he kept possession of Saxony, and enjoyed his annual subsidy from Great Britain, which effectually enabled him to maintain his armies on a respectable footing, and open the campaign with equal eagerness and confidence.

The Hanoverian army, commanded by prince Ferdinand of Brunswick, was strengthened by fresh reinforcements from England, augmented with German recruits, regularly paid, and well supplied with every comfort and convenience which foresight could suggest, or money procure; yet, in spite of all the precautions that could be taken, they were cut off from some resources, which the French, in the beginning of the year, opened to themselves by a flagrant stroke of perfidy, which even the extreme necessities of a campaign can
hard-

Frankfort
seized by
the
French.

An. 1759. hardly excuse. On the second day of January, the French regiment of Nassau presenting itself before the gate of Frankfort on the Mayne, a neutral imperial city, and demanding a passage, it was introduced, and conducted by a detachment of the garrison, through the city as far as the gate of Saxen-hausen, where it unexpectedly halted, and immediately disarmed the guards. Before the inhabitants could recover from the consternation into which they were thrown by this outrageous insult, five other French regiments entered the place, and here their general the prince de Soubise established his head-quarters. How deeply soever this violation of the laws of the Empire might be resented by all honest Germans, who retained affection for the constitutions of their country; it was a step from which the French army derived a very manifest and important advantage; for it secured to them the course of the Maine and the Upper Rhine; by which they received, without difficulty or danger, every species of supply, from Mentz, Spire, Worms, and even the country of Alsace; while it maintained their communication with the chain formed by the Austrian forces and the army of the Empire.

Progress
of the
heredi-
tary
prince of
Brunswick.

The scheme of operations for the ensuing campaign was already formed between the king of Prussia and prince Ferdinand of Brunswick; and before the armies took the field, several skirmishes were fought, and quarters surprised. In the latter end of February, the prince of Ysembourg detached major-general Urst with four battalions and a body of horse, who, assembling at Rhotenburg, sur-

surprised the enemy's quarters in the night between the first and second day of March, and drove them from Hirschfeld, Vacha, and all the Hessian bailiwicks, of which they had taken possession; but the Austrians soon returning in greater numbers, and being supported by a detachment of French troops from Franckfort, the allies fell back in their turn. In a few days, however, they themselves retreated again with great precipitation, though they did not all escape. The hereditary prince of Brunswick, with a body of Prussian hussars, fell upon them suddenly at Molrichstadt, where he routed and dispersed a regiment of Hohenzollern cuirassiers, and a battalion of the troops of Wurtzburg. He next day, which was the first of April, advanced with a body of horse and foot to Meiningen, where he found a considerable magazine, took two battalions prisoners, and surprized a third posted at Wafungen, after having defeated some Austrian troops that were on the march to its relief. While the hereditary prince was thus employed, the duke of Holstein, with another body of the confederates, dislodged the French from the post of Freyinitenau.

But the great object was to drive the enemy from Frankfort, before they should receive the expected reinforcements. Prince Ferdinand of Brunswick being determined upon this enterprize, assembled all his forces near Fulda, to the amount of forty thousand choice troops, and began his march on the tenth day of April. On the thirteenth he came in sight of the enemy, whom he found strongly encamped about the village of Bergen, between Frankfort and Hanau. Their ge-

Prince
Ferdinand at-
tacks the
French at
Bergen.

An. 1759. neral, the duke de Broglie, counted one of the best officers in France, with respect to conduct and intrepidity, having received intelligence of the prince's design, occupied this post on the twelfth, the right of his army being at Bergen, and his center and flanks secured in such a manner, that the allies could not make their attack any other way but by the village. Notwithstanding the advantage of their situation, prince Ferdinand resolved to give them battle, and made his dispositions accordingly. About ten in the morning the grenadiers of the advanced guard began the attack on the village of Bergen with great vivacity, and sustained a most terrible fire from eight German battalions, supported by several brigades of French infantry. The grenadiers of the allied army, though supported by several battalions under the command of the prince of Ysembourg, far from dislodging the enemy from the village, were, after a very obstinate dispute, obliged to retreat in some disorder; but rallied again behind a body of Hessian cavalry. The allies being repulsed in three different attacks, their general made a new disposition, and brought up his artillery, with which the village and different parts of the French line were severely cannonaded. They were not slow in retorting an equal fire, which continued till night, when the allies retreated to Windeken, with the loss of five pieces of cannon, and about two thousand men, including the prince of Ysembourg, who fell in the action.

The French, by the nature of their situation, could not suffer much; but they were so effectually amused by the artful disposition of prince Ferdinand,

nand, that, instead of taking measures to harrafs him in his retreat, they carefully maintained their situation, apprehensive of another general attack. Indeed, they had great reason to be satisfied with the issue of this battle, without risquing, in any measure, the advantage which they had gained. It was their business to remain quiet, until their reinforcements should arrive, and this plan they invariably pursued.

On the other hand, the allies, in consequence of their miscarriage, were reduced to the necessity of acting upon the defensive, and encountering a great number of difficulties and inconveniencies, during great part of the campaign, until the misconduct of the enemy turned the scale in their favour. In the mean time, the prince thought proper to begin his retreat in the night towards Fulda, in which his rear suffered considerably from a body of the enemy's light troops under the command of M. de Blaisel, who surprised two squadrons of dragoons, and a battalion of grenadiers. The first were taken or dispersed: the last escaped with the loss of their baggage. The allied army returned to their cantonments about Munster, and the prince began to make preparations for taking the field in earnest.

While the French enjoyed plenty in the neighbourhood of Dusseldorp and Crevelt, by means of the Rhine, the allies laboured under dearth and scarcity of every species of provision, because the country which they occupied was already exhausted, and all the supplies were brought from an immense distance. The single article of forage occasioned such enormous expence, as alarmed the ad-

The British ministry appointed an inspector-general of the forage.

An. 1759. ministration of Great Britain, who, in order to prevent mismanagement and fraud for the future, nominated a member of parliament inspector-general of the forage, and sent him over to Germany in the beginning of the year, with the rank and appointments of a general officer, that the importance of his character, and the nature of his office, might be a check upon those who were suspected of iniquitous appropriations. This gentleman is said to have met with such a cold reception, and so many mortifications in the execution of his office, that he was in a very little time sick of his employment. An inquiry into the causes of his reception, and of the practices which rendered it necessary to appoint such a superintendant, may be the province of some future historian, when truth may be investigated freely, without any apprehension of pains and penalties.

Prince
Ferdinand re-
treats be-
fore the
French
army.

While great part of the allied army remained in cantonments about Munster, the French armies on the Upper and Lower Rhine, being put in motion, joined on the third day of June near Marburg, under the command of the marechal de Contades, who advanced to the northwards, and fixed his head-quarters at Corbach; from whence he detached a body of light troops, to take possession of Cassel, which at his approach was abandoned by general Imhoff. The French army being encamped at Stadtberg, the duke de Broglie, who commanded the right wing, advanced from Cassel into the territories of Hanover, where he occupied Gottingen without opposition; while the allied army assembled in the neighbourhood of Lipstadt, and encamped about Soest and Werle. Prince
Fer-

Ferdinand, finding himself inferior to the united forces of the enemy, was obliged to retire as they advanced, after having left strong garrisons in Lipstadt, Retberg, Munster, and Minden. These precautions, however, seemed to produce little effect in his favour. Retberg was surprised by the duke of Broglie, who likewise took Minden by assault, and made general Zastrow, with his garrison of fifteen hundred men, prisoners of war; a misfortune considerably aggravated by the loss of an immense magazine of hay and corn, which fell into the hands of the enemy. They likewise made themselves masters of Munster, invested Lipstadt, and all their operations were hitherto crowned with success. The regency of Hanover, alarmed at their progress, resolved to provide for the worst, by sending their chancery and most valuable effects to Stade; from whence, in case of necessity, they might be conveyed by sea to England. In the mean time, they exerted all their industry in pressing men for recruiting and reinforcing the army under prince Ferdinand, who still continued to retire; and on the eleventh day of July removed his head-quarters from Osnabrug to Bomte, near the Weser. Here having received advice that Minden was taken by the French, he sent forwards a detachment to secure the post of Soltznau on that river, where on the fifteenth he encamped.

The general of the a— a— had for some time exhibited marks of animosity towards L. G. S—, the second in command, whose extensive understanding, penetrating eye, and inquisitive spirit, could neither be deceived, dazzled, nor soothed into tame acquiescence. He had opposed, with all

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Animosity between the general of the army, and the commander of the B. forces.

his influence, a design of retiring towards the frontiers of Brunswick, in order to cover that country. He supported his opposition by alledging, that it was the enemy's favourite object to cut off their communication with the Weser and the Elbe ; in which should they succeed, it would be found impossible to transport the British troops to their own country, which was at that time threatened with invasion. He therefore insisted upon the army's retreating, so as to keep the communication open with Stade, where, in case of emergency, the English troops might be embarked. By adhering tenaciously to this opinion, and exhibiting other instances of a prying disposition, he had rendered himself so disagreeable to the commander in chief, that, in all appearance, nothing was so eagerly desired as an opportunity of removing him from the station he filled.

The French army encamped at Minden.

Mean while, the French general advancing to Minden, encamped in a strong situation, having that town on his right, a steep hill on his left, a morass in front, and a rivulet in rear. The duke de Broglio commanded a separate body between Hanfbergen and Minden, on the other side of the Weser ; and a third, under the duke de Brissac, consisting of eight thousand men, occupied a strong post by the village of Coveltdt, to facilitate the route of the convoys from Paderborn. Prince Ferdinand, having moved his camp from Soltznau to Petershagen, detached the hereditary prince on the twenty-eighth day of July to Lubeke, from whence he drove the enemy ; and, proceeding to Rimsel, was joined by major-general Dreves, who had retaken Osnabrug, and cleared all that neighbourhood



PRINCE FERDINAND.

hood of the enemy's parties : then he advanced towards Hervorden, and fixed his quarters at Kirchlinneger, to hamper the enemy's convoys from Paderborn. During these transactions, prince Ferdinand marched with the allied army in three columns from Petershagen to Hille, where it encamped, having a morass on the right, the village of Friedewalde on the left, and in front those of Northemmern and Holtzenhausen. Fifteen battalions and nineteen squadrons, with a brigade of heavy artillery, were left under the command of general Wangenheim on the left, behind the village of Dodenhäusen, which was fortified with some redoubts, defended by two battalions. Colonel Luckner, with the Hanoverian hussars and a brigade of hunters, sustained by two battalions of grenadiers, was posted between Buckebourg and the Weser, to observe the body of troops commanded by the duke of Broglie on the other side of the river.

Are defeated by the allies.

On the last day of July the marechal de Contades, resolving to attack the allied army, ordered the corps of Broglie to repass the river ; and advancing in eight columns, about midnight, passed the rivulet of Barta, that runs along the morass, and falls into the Weser at Minden. At day-break he formed his army in order of battle, part of it fronting the corps of general Wangenheim at Dodenhäusen, and part of it facing Hille ; the two wings consisting of infantry, and the cavalry being stationed in the center. At three in the morning the enemy began to cannonade the prince's quarters at Hille from a battery of six cannon, which they had raised in the preceding evening on the

An. 1759. dyke of Eickhorst. This was probably the first intimation he received of their intention. He forthwith caused two pieces of artillery to be conveyed to Hille, and ordered the officer of the piquet-guard there posted to defend himself to the last extremity : at the same time he sent orders to general Giesen, who occupied Lubeke, to attack the enemy's post at Eickhorst ; and this service was successfully performed. The prince of Anhalt, lieutenant-general for the day, took possession with the rest of the piquets of the village of Halen, where prince Ferdinand resolved to support his right. It was already in the hands of the enemy ; but they soon abandoned it with precipitation. The allied army, being put in motion, advanced in eight columns, and occupied the ground between Halen and Hemmern, while general Wangenheim's corps filled up the space between this last village and Dodenhäusen. The enemy made their principal effort on the left, intending to force the infantry of Wangenheim's corps, and penetrate between it and the body of the allied army. For this purpose the duke de Broglie attacked them with great fury ; but was severely checked by a battery of thirty cannon, prepared for his reception by the count de Buckebourg, grand master of the artillery, and served with admirable effect, under his own eye and direction. About five in the morning, both armies cannonaded each other : at six the fire of musquetry began with great vivacity, and the action became very hot towards the right, where six regiments of English infantry, and two battalions of Hanoverian guards, not only bore the whole brunt of the French carabineers and gendarmes,

darmerie, but absolutely broke every body of horse and foot that advanced to attack them on the left and in the centre. The Hessian cavalry, with some regiments of Holstein, Prussian, and Hanoverian dragoons, posted on the left, performed good service. The cavalry on the right had no opportunity of engaging. They were destined to support the infantry of the third line : they consisted of the British and Hanoverian horse, commanded by lord George Sackville, whose second was the marquis of Granby. They were posted at a considerable distance from the first line of infantry, and divided from it by a wood that bordered on a heath. Orders were sent, during the action, to bring them up ; but whether these orders were contradictory, unintelligible, or imperfectly executed, they did not arrive in time to have any share in the action ; nor, indeed, were they originally intended for that purpose ; nor was there the least occasion for their service ; nor could they have come up in time and condition to perform effectual service, had the orders been explicit and consistent, and the commander acted with all possible expedition *. Be that

* That the general was not pleased with the behaviour of lord G——S——, may be gathered from the following compliment to the marquis of G——, implying a severe reflexion upon his superior in command.

Orders of his serene highness prince Ferdinand of Brunswick, relative to the behaviour of the troops under him

at the famous battle near Minden on the 1st of August, 1759.

“ His serene highness orders his greatest thanks to be given the whole army, for their bravery and good behaviour yesterday, particularly to the English infantry, and the two battalions of Hanoverian guards ; to all the cavalry of the left wing, and to gene-

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that as it will, the enemy were repulsed in all their attacks with considerable loss: at length they gave

general Wangenheim's corps, particularly the regiment of Holstein, the Hessian cavalry, the Hanoverian regiment du Corps and Hamerstin's; the same to all the brigades of heavy artillery. His serene highness declares publicly, that next to God he attributes the glory of the day to the intrepidity and extraordinary good behaviour of these troops, which he assures them he shall retain the strongest sense of as long as he lives; and if ever, upon any occasion, he shall be able to serve these brave troops, or any of them in particular, it will give him the utmost pleasure. His serene highness orders his particular thanks to be likewise given to general Sporcken, the duke of Holstein, lieutenant generals Imhoff and Urf. His serene highness is extremely obliged to the count de Buckebourg, for his extraordinary care and trouble in the management of the artillery, which was served with great effect; likewise to the commanding officers of the several brigades of artillery, viz. colonel Browne, lieutenant colonel Hutte, major Hasse, and the three English captains, Philips, Drummond, and Foy. His serene highness thinks himself infinitely obliged to major-generals Waldegrave and Kingsley, for their great courage, and good order in which they conducted their brigades. His serene highness further orders it to be declared to lieutenant-general the marquis of Granby, that he is persuaded, that if he had had the good fortune to have had him at the head of the cavalry of the right wing, his presence would have greatly contributed to make the decision of that day more complete and more brilliant. In short, his serene highness orders, that those of his suite whose behaviour he most admired, be named, as the duke of Richmond, colonel Fitzroy, captain Ligonier, colonel Watson, captain Wilson, aid-de-camp to major-general Waldegrave, adjutant generals Erstoff, Bulow, Durendolle, the count Tobe and Malerti; his serene highness having much reason to be satisfied with their conduct. And his serene highness desires and orders the generals of the army, that upon all occasions when orders are brought to them by his aids-de-camp, that they may be obeyed punctually, and without delay."

way

An. 1759.

way in every part; and about noon, abandoning the field of battle, were pursued to the ramparts of Minden. In this action they lost a great number of men, with forty-three large cannon, and many colours and standards; whereas the loss of the allies was very inconsiderable, as it chiefly fell upon a few regiments of British infantry, commanded by the majors-general Waldegrave and Kingsley. To the extraordinary prowess of these gallant brigades, and the fire of the British artillery, which was admirably served by the captains Philips, Macbean, Drummond, and Foy, the victory was in a great measure ascribed. That same night the enemy passed the Weser, and burned the bridges over that river. Next day the garrison of Minden surrendered at discretion, and here the victors found a great number of French officers wounded.

At first the marechal de Contades seemed inclined to retreat through the defiles of Wittekendstein, to Paderborn; but he was fain to change his resolution, in consequence of his having received advice, that, on the very day of his own defeat, the duke de Brissac was vanquished by the hereditary prince in the neighbourhood of Coveltd, so that the passage of the mountains was rendered impracticable. The duke de Brissac had been advantageously encamped with his left to the village of Coveltd, having the Werra in his front, and his right extending to the salt-pits. In this advantageous situation he was attacked by the hereditary prince and general de Kilmanseg, with such vivacity and address, that his troops were totally routed, with the loss of six cannon, and a considerable number of men killed, wounded, or taken prisoners. After the

The duke de Brissac routed by the hereditary prince of Brunswick;

An. 1759. the battle of Minden, colonel Freytag, at the head of the light troops, took, in the neighbourhood of Detmold, all the equipage of the marechal de Contades, the prince of Condé, and the duke de Brissac, with part of their military chest and chancery, containing papers of the utmost consequence*.

Prince

* The following extracts of letters from the duke de Belleisle to the marechal de Contades, will convey some idea of the virtue, policy, and necessities of the French ministry.

" I am still afraid that Fischer sets out too late : It is, however, very important, and very essential, that we should raise large contributions. I see no other resource for our most urgent expences, and for refitting the troops, but in the money we may draw from the enemy's country ; from whence we must likewise procure subsistence of all kinds, (independently of the money) that is to say, hay, straw, oats, for the winter, bread, corn, cattle, horses, even men, to recruit our foreign troops. The war must not be prolonged, and perhaps it may be necessary, according to the events which may happen, between this time and the end of September, to make a downright desert before the line of the quarters which it may be

thought proper to keep during the winter, in order that the enemy may be under a real impossibility of approaching us : at the same time reserving for ourselves a bare subsistence on the route which may be the most convenient for us to make, in the middle of winter, to beat up, or seize upon the enemy's quarters. That this object may be fulfilled, I cause the greatest assiduity to be used, in preparing what is necessary for having all your troops, without exception, well cloathed, well armed, well equipped, and well refitted, in every respect, before the end of November, with new tents, in order that if it should be adviseable for the king's political and military affairs, you may be able to assemble the whole, or part of your army, to act offensively, and with vigour, from the beginning of January ; and that you may have the satisfaction to shew your enemies, and all Europe, that the French know how to act, and carry on war, in all seasons, when they have such a gene-

Prince Ferdinand having garrisoned Minden, An. 1759.
marched to Hervorden; and the hereditary prince
passed

general as you are, and a minister of the department of war, that can foresee, and concert matters with the general.

You must be sensible, sir, that what I say to you may become not only useful and honourable, but perhaps even necessary, with respect to what you know, and of which I shall say more in my private letter."

M. Duc de BELLEISLE.

"After observing all the formalities due to the magistrates of Cologne, you must seize on their great artillery by force, telling them, that you do so for their own defence against the common enemy of the empire; that you will restore them when their city has nothing farther to fear, &c. After all, you must take every thing you have occasion for, and give them receipts for it."

"You must, at any rate, consume all sorts of subsistence on the higher Lippe, Paderborn, and Warsburg; you must destroy every thing which you cannot consume, so as to make a desert of all Westphalia, from Lipstadt and Munster, as far as the Rhine, on one hand; and on

the other, from the higher Lippe and Paderborn, as far as Cassel; that the enemy may find it quite impracticable to direct their march to the Rhine, or the Lower Roer; and this with regard to your army, and with regard to the army under M. de Soubise, that they may not have it in their power to take possession of Cassel, and much less to march to Marbourg, or to the quarters which he will have along the Lahn, or to those which you will occupy, from the lower part of the left side of the Roer, and on the right side of the Rhine as far as Dusseldorf, and at Cologne."

"You know the necessity of consuming, or destroying, as far as is possible, all the subsistence, especially the forage, betwixt the Weser and the Rhine on the one hand; and on the other, betwixt the Lippe, the bishopric of Paderborn, the Dymel, the Fulda, and the Nerra; and so to make a desert of Westphalia and Hesse."

"Although the prince of Waldeck appears outwardly neutral, he is very ill disposed, and deserves very little favour. You ought, therefore, to make no scruple of taking

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who
passes the
Wefer in
pursuit
of the
French.

passed the Wefer at Hamelen, in order to pursue the enemy, who retreated to Caffel, and from thence, by the way of Marpurg, as far as Gieffen. In a word, they were continually harrassed by that enterprising prince, who seized every opportunity of making an impression upon their army; took the greatest part of the baggage; and compelled them to abandon every place they possessed in Westphalia. The number of his prisoners amounted to fifteen hundred men, besides the garrison left at Caf-

taking all you find in that territory; but this must be done in an orderly manner, giving receipts, and observing the most exact discipline. All the subsistence you leave in his country will fall to the enemy's share, who will, by that means, be enabled to advance to the Lahn, and towards the quarters which you are to occupy on the left side of the Roer. It is therefore a precaution, become in a manner indispensibly necessary, to carry it all away from thence."—

"The question now is, what plan you shall think most proper for accomplishing, in the quickest and surest manner, our great purpose; which must be to consume, carry off, or destroy all the forage and subsistence of the country which we cannot keep possession of."—

"The upper part of the Lippe, and the country of

Paderborn, are the most plentiful; they must, therefore, be eat to the very roots."—

"You did mighty well, to talk in the most absolute tone with regard to the necessaries Racroth and Duysbourg must furnish our troops; it is necessary to speak in that tone to Germans; and you will find your account in using the same to the regencies of the elector of Cologne, and still more to that of the Palatine."—

"After using all becoming ceremony, as we have the power in our hands, we must make use of it, and draw from the country of Bergue what shall be necessary for the subsistence of the garrison of Dusseldorp, and of the light troops, and reserve what may be brought thither from Alface and the bishopricks for a case of necessity."—

scJ,

An. 1759.

fel, which surrendered at discretion. He likewise surpris'd a whole battalion, and defeated a considerable detachment under the command of Mr. d'Armentieres. In the mean time, the allied army advanced in regular marches; and prince Ferdinand, having taken possession of Cassel, detached general Imhoff, with a body of troops, to reduce the city of Munster, which he accordingly began to bombard and cannonade; but Mr. d'Armentieres, being joined by a fresh body of troops from the Lower Rhine, advanced to its relief, and compelled Imhoff to raise the siege. It was not long, however, before this general was also reinforced; then he measured back his march to Munster, and the French commander withdrew in his turn. The place was immediately shut up by a close blockade; which, however, did not prevent the introduction of supplies. The city of Munster being an object of importance, was disputed with great obstinacy. Armentieres received reinforcements, and the body commanded by Imhoff was occasionally augmented; but the siege was not formally undertaken till November, when some heavy artillery being brought from England, the place was regularly invested, and the operations carried on with such vigour, that, in a few days, the city surrendered on capitulation.

Prince Ferdinand having possessed himself of the town and castle of Marpurg, proceeded with the army to Neidar-Weimar, and there encamped; while Contades remained at Gießen, on the south side the river Lahne, where he was joined by a colleague in the person of the marechal d'Estrees. By this time he was become very unpopular among the

The
French
retreat
before
prince
Ferdinand.

An. 1759. the troops, on account of the defeat at Mindén, which he is said to have charged on the misconduct of Broglie, who recriminated on him in his turn, and seemed to gain credit at the court of Versailles.

While the two armies lay encamped in the neighbourhood of each other, nothing passed but skirmishes among the light troops, and little excursive expeditions. The French army was employed in removing their magazines and fortifying Gießen, as if their intention was to retreat to Frankfort on the Mayne; after having consumed all the forage, and made a military desert between the Lahne and that river. In the beginning of November, the marechal duke de Broglie returned from Paris, and assumed the command of their army, from whence Contades and d'Estrees immediately retired, with several other general officers that were senior to the new commander.

The hereditary prince beats up the quarters of the duke of Wirtemberg at Fulda.

The duke of Wirtemberg having taken possession of Fulda, the hereditary prince of Brunswick resolved to beat up his quarters. For this purpose he selected a body of troops, and began his march from Marburg early in the morning on the twenty-eighth day of November. Next night they lay at Augerbach, where they defeated the volunteers of Nassau; and at one o'clock in the morning of the thirtieth, they marched directly to Fulda, where the duke of Wirtemberg, far from expecting such a visit, had invited all the fashionable people in Fulda to a sumptuous entertainment. The hereditary prince, having reconnoitred the avenues in person, took such measures, that the troops of Wirtemberg, who were scattered in small bodies, would have been cut off, if they

they had not hastily retired into the town, where, however, they found no shelter. The prince forced open the gates; and they retreated to the other side of the town, where four battalions of them were defeated and taken; while the duke himself, with the rest of his forces, filed off on the other side of the Fulda. Two pieces of cannon, two pair of colours, and all their baggage, fell into the hands of the victors; and the hereditary prince advanced as far as Rupertenrade, a place situated on the right flank of the French army. Perhaps this motion hastened the resolution of the duke de Broglie to abandon Gießen, and fall back to Friedberg, where he established his head-quarters. The allied army immediately took possession of his camp at Kleinlinnes and Heuchelam, and seemed to make preparations for the siege of Gießen. While both armies remained in this position, the duke de Broglie received the staff as marechal of France, and made an attempt to beat up the quarters of the allies. Having called in all his detachments, he marched up to them on the twenty-fifth day of December; but found them so well disposed to give him a warm reception, that he thought proper to lay aside his design, and nothing but a mutual cannonade ensued: then he returned to his former quarters. From Kleinlinnes the allied army removed to Corßdorf, where they were cantoned till the beginning of January, when they fell back as far as Marburg, where prince Ferdinand established his head-quarters. The enemy had by this time retrieved their superiority, in consequence of the hereditary prince's being detached with fifteen thousand men to join the king of Prussia at

An. 1759. Freyberg in Saxony. Thus, by the victory at Minden, the dominions of Hanover and Brunswick were preserved, and the enemy obliged to evacuate great part of Westphalia. Perhaps they might have been driven to the other side of the Rhine, had not the general of the allies been obliged to weaken his army for the support of the Prussian monarch, who had met with divers disasters in the course of this campaign.

A body of
Prussians
make an
excursion
into Po-
land.

It was not to any relaxation or abatement of his usual vigilance and activity, that this warlike prince owed the several checks he received. Even in the middle of winter, his troops, under general Mantufel, acted with great spirit against the Swedes in Pomerania. They made themselves masters of Damgarten, and several other places which the Swedes had garrisoned; and, the frost setting in, those who were quartered in the isle of Usedom passed over the ice to Wolgast, which they reduced without much difficulty. They undertook the sieges of Demmen and Anclam at the same time, and the garrisons of both surrendered themselves prisoners of war, to the number of two thousand seven hundred men, including officers. In Demmen they found four and twenty pieces of cannon, with a large quantity of ammunition. In Anclam there was a considerable magazine, with six and thirty cannon, mortars, and howitzers. A large detachment under general Knobloch surprised Erfurth, and raised considerable contributions at Gotha, Eisenach, and Fulda; from whence also they conveyed all the forage and provisions to Saxe-Naumberg. In the latter end of February, the Prussian major-general Wobersnow marched with a strong

strong body of troops from Glogau in Silesia to Poland; and advancing by the way of Lissa, attacked the castle of the prince Sulkowski, a Polish grandee, who had been very active against the interest of the Prussian monarch. After some resistance, he was obliged to surrender at discretion, and was sent prisoner with his whole garrison to Silesia. From hence Wobersnow proceeded to Posna, where he made himself master of a considerable magazine, guarded by two thousand Cossacks, who retired at his approach; and, having destroyed several others, returned to Silesia. In April, the fort of Penamunde in Pomerania was surrendered to Manteufel; and about the same time a detachment of Prussian troops bombarded Schwerin, the capital of Mecklemburg. Meanwhile, reinforcements were sent to the Russian army in Poland, which in April began to assemble upon the Vistula. The court of Petersburg had likewise begun to equip a large fleet, by means of which the army might be supplied with military stores and provisions: but this armament was retarded by an accidental fire at Revel, which destroyed all the magazines and materials for ship-building, to an immense value.

About the latter end of March the king of Prussia assembled his army at Rhonstock, near Strigau; and, advancing to the neighbourhood of Landshut, encamped at Bolchenhayn. On the other hand, the Austrian army, under the command of marshal Daun, was assembled at Munchengratz in Bohemia; and the campaign was opened by an exploit of general Beck, who surprized and made prisoners a battalion of Prussian grenadiers, posted

Prince
Henry
penetrates in-
to Bohe-
mia.

An. 1759.

under colonel Düringheven, at Greiffenberg on the frontiers of Silesia. This advantage, however, was more than counterbalanced by the activity and success of prince Henry, brother to the Prussian king, who commanded the army which wintered in Saxony. About the middle of April he marched in two columns towards Bohemia, forced the pass of Peterstal, destroyed the Austrian magazine at Aufsig, burned their boats upon the Elbe, seized the forage and provisions which the enemy had left at Lowositz and Leutmeritz, and demolished a new bridge which they had built for their convenience. At the same time, general Hülse attacked the pass of Passberg, guarded by general Renard, who was taken, with two thousand men, including fifty officers: then he advanced to Satz, in hope of securing the Austrian magazines: but these the enemy consumed, that they might not fall into his hands, and retired towards Prague with the utmost precipitation.

He enters
Franco-
nia, and
obliges
the Im-
perial ar-
my to re-
tire.

Prince Henry, having happily achieved these adventures, and filled all Bohemia with alarm and consternation, returned to Saxony, and distributed his troops in quarters of refreshment in the neighbourhood of Dresden. In a few days, however, they were again put in motion, and marched to Obelgeburgen; from whence he continued his route through Voightland, in order to attack the army of the empire in Franconia. He accordingly entered this country, by the way of Hoff, on the seventh of May, and next day sent a detachment to attack general Macguire, who commanded a body of Imperialists at Asch, and sustained the charge with great gallantry; but finding himself in dan-

ger

ger of being overpowered by numbers, he retired in the night towards Egra. The army of the Empire, commanded by the prince de Deux-ponts, being unable to cope with the Prussian general in the field, retired from Cullembach to Bamberg, and from thence to Nuremberg, where, in all probability, they would not have been suffered to remain unmolested, had not prince Henry been recalled to Saxony. He had already taken Cronach and the castle of Rotenberg, and even advanced as far as Bamberg, when he received advice that a body of Austrians, under general Gemmingen, had penetrated into Saxony. This diversion effectually saved the army of the Empire, as prince Henry immediately returned to the electorate, after having laid the bishopric of Bamberg, and the marquisate of Cullembach, under contribution, destroyed all the magazines provided for the Imperial army, and sent fifteen hundred prisoners to Leipzig. A party of Imperialists, under count Palfy, endeavoured to harass him in his retreat; but they were defeated near Hoff, with considerable slaughter: nevertheless the Imperial army, though now reduced to ten thousand men, returned to Bamberg; and as the Prussians approached the frontiers of Saxony, the Austrian general Gemmingen retired into Bohemia. During all these transactions, the marechal count Daun remained with the grand Austrian army at Schurtz in the circle of Koningsgratz; while the Prussians, commanded by the king in person, continued quietly encamped between Landshut and Schweidnitz. General Fouquet commanded a large body of troops in the southern part of Silesia; but these

An. 1759. being mostly withdrawn, in order to oppose the Russians, the Austrian general de Ville, who hovered on the frontiers of Moravia, with a considerable detachment, took advantage of this circumstance, and, advancing into Silesia, encamped within sight of Neiss.

King of Prussia vindicates his own conduct with respect to his prisoners.

As mutual calumny and recrimination of all kinds were not spared on either side, during the progress of this war, the enemies of the Prussian monarch did not fail to charge him with cruelties, committed at Schwerin, the capital of Mecklenburg, which his troops had bombarded, plundered of its archives, cannon, and all its youth fit to carry arms, who were pressed into his service: he besides taxed the dutchy at seven thousand men, and a million of crowns, by way of contribution. He was also accused of barbarity in issuing an order for removing all the prisoners from Berlin to Spandau; but this step he justified in a letter to his ministers at foreign courts, declaring, that he had provided for all the officers that were his prisoners the best accommodation, and permitted them to reside in his capital; that some of them had grossly abused the liberty they enjoyed, by maintaining illicit correspondence, and other practices equally offensive, which had obliged him to remove them to the town of Spandau: he desired, however, that the town might not be confounded with the fortrefs of that name, from which it was intirely separated, and in which they would enjoy the same ease they had found at Berlin, though under more vigilant inspection. His conduct, on this occasion, he said, was sufficiently authorized, not only by the law of nations, but also by the example of his

his enemies ; inasmuch as the Empress-queen had never suffered any of his officers, who had fallen into her hands, to reside at Vienna ; and the court of Russia had sent some of them as far as Casan. He concluded with saying, that as his enemies had let slip no opportunity of blackening his most innocent proceedings, he had thought proper to acquaint his ministers with his reasons for making this alteration with regard to his prisoners, whether French, Austrians, or Russians.

An. 1759.

In the beginning of June, the king of Prussia, understanding that the Russian army had begun their march from the Vistula, ordered the several bodies of his troops, under Hulsen and Wobernow, reinforced by detachments from his other armies, to join the forces under count Dohna, as general in chief, and march into Poland. Accordingly they advanced to Meritz, where the count having published a declaration *, he continued his march

The Prussian general Wedel worsted by the Russians at Zullichau.

* *The following declarations were published by Count Dohna, a Prussian general, on his entering Poland with a body of Prussian troops.*

On the 15th of June.

HIS Prussian majesty finding himself under a necessity to cause part of his armies to enter the territories of the republic of Poland, in order to protect them against the threatened invasion of the enemy, declares, that,

It must not be understood that his majesty by this step

taken, intends to make any breach in the regard he has always had for the illustrious republic of Poland, or to lessen the good understanding which has hitherto subsisted between them, but, on the contrary, to strengthen the same, in expectation that the illustrious republic will, on its part, act with the like neighbourly and friendly good will as is granted to the enemy, than which nothing more is desired.

The nobility, gentry, and magistracy, in their respective

An. 1759. march towards Pofna, where he found the Russian army under count Soltikoff strongly encamped, having

districts, between the frontiers of Prussia, so far as beyond Posen, are required to furnish all kinds of provisions, corn, and forage, necessary to support an army of 40,000 men, with the utmost dispatch, with an assurance of being paid ready money for the same. But if, contrary to expectation, any deficiency should happen in supplying this demand, his majesty's troops will be obliged to forage, and use the same means as those taken by the enemy for their subsistence.

In confidence thereof that the several jurisdictions, upon the Prussian frontiers, within the territories of Poland, will exert themselves to comply with this demand as soon as possible, for the subsistence of the royal army of Prussia, they are assured that thereby all disorders will be prevented, and whatever is delivered will be paid for in ready money.

On the 17th of June.

It was with the greatest astonishment that the king, my most gracious lord and master, heard that several of his own subjects had suffered themselves to be seduced from their allegiance so far, as to

enter into the service of a potentate, with whom he is at war; his majesty, therefore, makes known by these presents, that all of his subjects serving in the enemy's armies, who shall be taken with arms in their hands, shall, agreeably to all laws, be sentenced to be hanged without mercy, as traitors to their king and country. Of which all whom it may concern are desired to take notice, &c.

On the 22nd of June.

We invite and desire, that the nobility, archbishops, bishops, abbeyes, convents, seignories, magistrates, and inhabitants of the republic of Poland, on the road to Pofnania, and beyond it, would repair in person, or by deputies, in the course of this week, or as soon after as possible, to the Prussian head-quarters, there to treat with the commander in chief, or the commissary at war, for the delivery of forage and provisions for the subsistence of the army, to be paid for with ready money.

We promise and assure ourselves, that no person in Poland will attempt to seduce the Prussian troops to desert; that

having in their rear that city and the river Warta, and in their front a formidable intrenchment mounted with a great number of cannon. Count Dohna judging it impracticable to attack them in this situation, with any prospect of success, endeavoured to intercept their convoys to the eastward; but, for want of provision, was, in a little time, obliged to return towards the Oder: then the Russians advanced to Zullichau in Silesia. The king of Prussia thinking count Dohna had been rather too cautious, considering the emergency of affairs, gave him leave to retire for the benefit of his health, and conferred his command upon general Wedel, who resolved to give the Russians battle without delay. Thus determined, he marched against them in two columns; and, on the twenty-third day of July, attacked them at Kay, near Zullichau, where, after a very obstinate engagement, he was repulsed with great loss, Wobersnow being killed, and Manteufel wounded in the action; and in a few

that no assistance will be given them in such perfidious practices; that they will neither be sheltered, concealed, or lodged; which would be followed by very disagreeable consequences; we expect, on the contrary, that persons of all ranks and conditions will stop any run-away or deserter, and deliver him up at the first advanced post, or at the head-quarters; and all expences attending the same shall be paid, and a reasonable gratification superadded.

If any one hath any incli-

nation to enter into the king of Prussia's service, with an intention to behave well and faithfully, he may apply to the head-quarters, and be assured of a capitulation for three or four years.

If any prince or member of the republic of Poland, be disposed to assemble a body of men, and to join in a troop, or in a company, the Prussian army, to make a common cause with it, he may depend on a gracious reception, and that due regard will be shewn to his merit, &c.

days

An. 1759. days, the Russians made themselves masters of Frankfort upon the Oder.

The king
of Prussia
takes the
com-
mand of
Wedel's
corps.

By this time, the armies of count Daun, and the king of Prussia, had made several motions. The Austrians having quitted their camp at Schurtz, advanced towards Zittau in Lusatia, where having halted a few days, they resumed their march, and encamped at Gorlitzhayn, between Sudenberg and Mark-Lissa. His Prussian majesty, in order to observe their motions, marched by the way of Herchberg to Lahn; and his vanguard skirmished with that of the Austrians commanded by Laudohn, who entered Silesia by the way of Grieffenberg. The Austrian general was obliged to retreat with loss; while the king penetrated into Silesia, that he might be at hand to act against the Russians, whose progress was now become the chief object of his apprehension. He no sooner received intimation that Wedel had been worsted, than he marched with a select body of ten thousand men from his camp in Silesia, in order to take upon him the command of Wedel's army, leaving the rest of his forces strongly encamped, under the direction of his brother prince Henry, who had joined him before this event. Count Daun being apprized of the king's intention, and knowing the Russians were very defective in cavalry, immediately detached a body of twelve thousand horse, to join them, under the command of Laudohn; and these, penetrating in two columns through Silesia and Lusatia, with some loss, arrived in the Russian camp at a very critical juncture. Mean while the king of Prussia joined general Wedel on the fourth day of August at Muhlrose, where he assumed the command of the army: but

find-

finding it greatly inferior to the enemy, he recalled general Finck, whom he had detached some time before, with a body of nine thousand men, to oppose the progress of the Imperialists in Saxony: for when prince Henry joined his brother in Silesia, the army of the Empire had entered that electorate. Thus reinforced, the number of the king's army at Muhlrose did not exceed fifty thousand, whereas the Russians were more numerous by thirty thousand. They had chosen a strong camp at the village of Cunerfsdorf, almost opposite to Frankfort upon the Oder, and increased the natural strength of their situation by intrenchments mounted with a numerous artillery. In other circumstances, it might have been deemed a rash and ridiculous enterprise, to attack such an army under such complicated disadvantages: but here was no room for hesitation. The king's affairs seemed to require a desperate effort; and perhaps he was partly impelled by self confidence and animosity.

Having determined to hazard an attack, he made his disposition, and on the twelfth day of August at two in the morning his troops were in motion. The army being formed in a wood, advanced towards the enemy; and about eleven, the action was begun with a severe cannonade. This having produced the desired effect, he charged the left wing of the Russian army with his best troops formed in columns. After a very obstinate dispute the enemy's entrenchments were forced with great slaughter, and seventy pieces of cannon fell into the hands of the Prussians. A narrow defile was afterwards passed, and several redoubts

Battle of
Cunerfs-
dorf.

An. 1759. doubts that covered the village of Cunerisdorf were taken by assault, one after another. One half of the task was not yet performed : the Russians made a firm stand at the village ; but they were overborne by the impetuosity of the Prussians, who drove them from post to post up to the last redoubts they had to defend. As the Russians kept their ground until they were hewn down in their ranks, this success was not acquired without infinite labour, and a considerable expence of blood. After a furious contest of six hours, fortune seemed to declare so much in favour of the Prussians, that the king dispatched the following billet to the queen at Berlin : “ Madam, we have driven the Russians from their intrenchments. In two hours expect to hear of a glorious victory.” This intimation was premature, and subjected the writer to the ridicule of his enemies. The Russians were staggered, not routed. General Soltikoff rallied his troops, and reinforced his left wing under cover of a redoubt, which was erected on an eminence called the Jews Burying-ground, and here they stood in order of battle, with the most resolute countenance ; favoured by the situation, which was naturally difficult of access, and now rendered almost impregnable by the fortification, and a numerous artillery, still greatly superior to that of the Prussians. Had the king contented himself with the advantage already gained, all the world would have acknowledged he had fought against terrible odds with astonishing prowess ; and that he judiciously desisted, when he could no longer persevere without incurring the imputation of being actuated by frenzy or despair.

His

His troops had not only suffered severely from the enemy's fire, which was close, deliberate, and well directed, but they were fatigued by the hard service, and fainting with the heat of the day, which was excessive. His general officers are said to have reminded him of all these circumstances; and to have dissuaded him from hazarding an attempt attended with such danger and difficulty, as even an army of fresh troops could hardly hope to surmount. He rejected this salutary advice, and ordered his infantry to begin a new attack, which being an enterprize beyond their strength, they were repulsed with great slaughter. Being afterwards rallied, they returned to the charge: they miscarried again, and their loss was redoubled. Being thus rendered unfit for further service, the cavalry succeeded to the attack, and repeated their unsuccessful efforts, until they were almost broke and entirely exhausted. At this critical juncture, the whole body of the Austrian and Russian cavalry, which had hitherto remained inactive, and were therefore fresh and in spirits, fell in among the Prussian horse with great fury, broke that line at the first charge, and forcing them back upon the infantry, threw them into such disorder as could not be repaired. The Prussian army being thus involved in confusion, was seized with a panic, and in a few minutes totally defeated and dispersed, notwithstanding the personal efforts of the king, who hazarded his life in the hottest parts of the battle, led on his troops three times to the charge, while two horses were killed under him, and his cloaths, in several parts, penetrated with musquet-balls. His army being
routed,

An. 1759. routed, and the greater part of his generals either killed or disabled by wounds, nothing but the approach of night could have saved him from total ruin. When he abandoned the field of battle, he dispatched another billet to the queen, couched in these terms: "Remove from Berlin with the royal family. Let the archives be carried to Potsdam. The town may make conditions with the enemy." The horror and confusion which this intimation produced at Berlin may be easily conceived: horror the more aggravated, as it seized them in the midst of their rejoicing occasioned by the first dispatch; and this was still more dreadfully augmented, by a subsequent indistinct relation, importing, that the army was totally routed, the king missing, and the enemy in full march to Berlin. The battle of Cunersdorf was by far the most bloody action that had happened since the commencement of hostilities. The carnage was truly horrible: above twenty thousand Prussians lay dead on the field, and among these general Puttkammer. The generals Seidlitz, Itzenplitz, Hulfen, Finck, and Wedel, the prince of Wurtemberg, and five major-generals, were wounded. The loss of the enemy amounted to ten thousand. It must be owned, that if the king was prodigal of his own person, he was likewise very free with the lives of his subjects. At no time, since the days of ignorance and barbarity, have the lives of men been squandered away with such profusion as in the course of this German war. They have not only been unnecessarily sacrificed in various exploits of no consequence, but they have been lavishly exposed

to

to all the rigour and distemper of winter-campaigns, which have been introduced on the continent, in despite of nature, and in contempt of humanity. Such are the improvements of warriors without feeling; such the refinements of German discipline.

On the day that succeeded the defeat at Cunerford, the king of Prussia having lost the best part of his army, together with his whole train of artillery, repassed the Oder, and encamped at Retwin; from whence he advanced to Fustenwalde, and saw with astonishment the forbearance of the enemy. Instead of taking possession of Berlin, and overwhelming the wreck of the king's troops, destitute of cannon, and cut off from all communication with prince Henry, they took no step to improve the victory they had gained. Laudohn retired with his horse immediately after the battle; and count Soltikoff marched with part of the Russians into Lusatia, where he joined Daun, and held consultations with that general. Perhaps the safety of the Prussian monarch was owing to the jealousy subsisting among his enemies. In all probability the court of Vienna would have been chagrined to see the Russians in possession of Brandenburg, and therefore thwarted their designs upon that electorate. The k—— of P—— had now reason to be convinced, that his situation could not justify such a desperate attack as that in which he had miscarried at Cunerford; for if the Russians did not attempt the reduction of his capital, now that he was totally defeated, and the flower of his army cut off, they certainly would not have aspired at that conquest while he lay encamped in the neighbourhood.

An. 1759. bourhood with fifty thousand veterans, inured to war, accustomed to conquer, confident of success, and well supplied with provision, ammunition, and artillery.

As the victors allowed him time to breathe, he improved this interval with equal spirit and sagacity. He reassembled and refreshed his broken troops; he furnished his camp with cannon from the arsenal at Berlin, which likewise supplied him with a considerable number of recruits; he recalled general Kleist, with five thousand men, from Pomerania; and, in a little time, retrieved his former importance.

Advantages
gained by
the Prussians in
Saxony.

The army of the Empire having entered Saxony, where it reduced Leipzig, Torgau, and even took possession of Dresden itself, the king detached six thousand men under general Wunch, to check the progress of the Imperialists in that electorate; and perceiving the Russians intended to besiege Great Glogau, he, with the rest of his army, took post between them and that city, so as to frustrate their design. While the four great armies, commanded by the king of Prussia, general Soltikoff, prince Henry, and count Daun, lay encamped in Lusatia, and on the borders of Silesia, watching the motions of each other, the war was carried on by detachments with great vivacity. General Wunch having retaken Leipzig, and joined Finck at Eulenburg, the united body began their march towards Dresden; and a detachment from the army of the Empire, which had encamped near Döbeln, retired at their approach. As they advanced to Nossin, general Haddick abandoned the advantageous post he occupied near Roth-Scemberg, and,

and, being joined by the whole army of the Empire, resolved to attack the Prussian generals, who now encamped at Corbitz near Meissen; accordingly, on the twenty-first day of September he advanced against them, and endeavoured to dislodge them by a furious cannonade, which was mutually maintained from morning to night, when he found himself obliged to retire with considerable loss; leaving the field of battle, with about five hundred prisoners, in the hands of the Prussians.

This advantage was succeeded by another exploit of prince Henry; who, on the twenty-third day of the month, quitted his camp at Hornsdorf, near Gorlitz, and, after an incredible march of eleven German miles, by the way of Rothenburg, arrived, about five in the afternoon, at Hoyerfwerda, where he surprised a body of four thousand men commanded by general Vehla, killed six hundred, and made twice that number prisoners, including the commander himself. After this achievement, he joined the corps of Finck and Wunch; while marechal Daun likewise abandoned his camp in Lusatia, and made a forced march to Dresden, in order to frustrate the prince's supposed design on that capital. The Russians, disappointed in their scheme upon Glogau, had repassed the Oder at Neusalze, and were encamped at Fraustadt; general Laudohn, with a body of Austrians, lay at Schlichtingskeim; and the king of Prussia at Koben: all three on, or near the banks of that river. Prince Henry perceiving his army almost surrounded by Austrian detachments, ordered general Finck to drive them from Vogel-sang, which they abandoned accordingly; and

Prince
Henry
makes a
forced
march,
and sur-
prises ge-
neral
Vehla.

An. 1759. sent Wunch, with six battalions and some cavalry, across the Elbe, to join the corps of general Rebentish at Wittenburg, whither he had retired from Duben, at the approach of the Austrians. On the twenty-ninth day of October the duke d'Aremberg, with sixteen thousand Austrians, decamped from Dammitz, in order to occupy the heights near Prestsch, and was encountered by general Wunch, who, being posted on two rising grounds, cannonaded the Austrians in their march with considerable effect; and the prince took twelve hundred prisoners, including lieutenant-general Gemmingen, and twenty inferior officers, with some cannon, great part of their tents, and a large quantity of baggage. The duke was obliged to change his rout, while Wunch marched from Duben to Eulenburg; and general Waffersleben occupied Strehla, where next day the whole army encamped. In this situation the prince remained, till the sixteenth day of November; when, being in danger of having his communication with Torgau cut off by the enemy, he removed to a strong camp, where his left flank was covered by that city and the river Elbe; his right being secured by a wood, and great part of his front by an impassable morass.

Here he was reinforced with above twenty thousand men from Silesia, and joined by the king himself; who forthwith detached general Finck, with nineteen battalions and thirty-five squadrons, to take possession of the defiles of Maxen and Ottendorf, with a view to hinder the retreat of the Austrians to Bohemia. This motion obliged Daun to retire to Plauen; and the king advanced to Wilf-

An. 1759.

Wiltsdorf, imagining that he had effectually succeeded in his design. Letters were sent to Berlin and Magdeburg, importing, that count Daun would be forced to hazard a battle, as he had now no resource but in victory. Finck had no sooner taken post on the hill near the village of Maxen, than the Austrian general sent officers to reconnoitre his situation, and immediately resolved to attack him with the corps de reserve under the baron de Sincere, which was encamped in the neighbourhood of Dippodeswalda. It was forthwith divided into four columns, which filed off through the neighbouring woods; and the Prussians never dreamed of their approach, until they saw themselves intirely surrounded. In this emergency they defended themselves with their cannon and musquetry, until they were overpowered by numbers, and their battery was taken: then they retired to another rising-ground, where they rallied; but were driven from eminence to eminence, until, by favour of the night, they made their last retreat to Falkenhayn. In the mean time, count Daun had made such dispositions, that at day-break general Finck found himself intirely inclosed, without the least possibility of escaping, and sent a trumpet to count Daun to demand a capitulation. This was granted in one single article, importing, that he and eight other Prussian generals, with the whole body of troops they commanded, should be received as prisoners of war. He was obliged to submit; and his whole corps, amounting to nineteen battalions and thirty-five squadrons, with sixty-four pieces of cannon, fifty pair of colours,

General
Finck,
with his
wholebo-
dy, sur-
rounded
and taken
by the
Austrian
general.

An. 1759. and twenty-five standards, fell into the hands of the Austrian general.

This misfortune was the more mortifying to the king of Prussia, as it implied a censure on his conduct, for having detached such a numerous body of troops to a situation where they could not be sustained by the rest of his army.

On the other hand, the court of Vienna exulted in this victory as an infallible proof of Daun's superior talents; and, in point of glory and advantage, much more than an equivalent for the loss of the Saxon army, which, though less numerous, capitulated in the year one thousand seven hundred and fifty-six, after having held out six weeks against the whole power of the Prussian monarch.

General Hulsen had been detached with about nine battalions and thirty squadrons to the assistance of Finck; but he arrived at Klingenberg too late to be of any service; and being recalled, was next day sent to occupy the important post of Freyberg.

Disaster
of the
Prussian
general
Diercke.

The defeat of general Finck was not the only disaster which befel the Prussians at the close of this campaign. General Diercke, who was posted with seven battalions of infantry, and a thousand horse, on the right bank of the Elbe, opposite to Meissen, finding it impracticable to lay a bridge of pontoons across the river, on account of the floating ice, was obliged to transport his troops in boats; and when all were passed, except himself, with the rear-guard, consisting of three battalions, he was, on the third day of December, in the morning, attacked by a strong body of Austrians, and taken, with all his men, after an obstinate dispute.

The

The king of Prussia, weakened by these two successive defeats, that happened in the rear of an unfortunate campaign, would hardly have been able to maintain his ground at Freyberg, had not he been at this juncture reinforced by the body of troops under the command of the hereditary prince of Brunswic. As for Daun, the advantages he had gained did not elevate his mind above the usual maxims of his cautious discretion. Instead of attacking the king of Prussia, respectable and formidable even in adversity, he quietly occupied the strong camp at Pirna, where he might be at hand to succour Dresden, in case it should be attacked, and maintain his communication with Bohemia.

Conclu-
sion of
the cam-
paign.

By this time the Russians had retired to winter-quarters in Poland; and the Swedes, after a fruitless excursion in the absence of Manteufel, retreated to Stralsund in the isle of Rugen. This campaign, therefore, did not prove more decisive than the last. Abundance of lives were lost; and great part of Germany was exposed to rapine, murder, famine, desolation, and every species of misery that war could engender. In vain the confederating powers of Austria, Russia, and Sweden, united their efforts to crush the Prussian monarch. Though his army had been defeated, and he himself totally overthrown, with great slaughter, in the heart of his own dominions; though he appeared in a desperate situation, environed by hostile armies, and two considerable detached bodies of his troops were taken or destroyed; yet he kept all his adversaries at bay till the approach of winter, which proved his best auxiliary; and even maintained his footing in the electorate of Saxony, which seemed

An. 1759. to be the prize contested between him and the Austrian general. Yet, long before the approach of winter, one would imagine he must have been crushed between the shock of so many adverse hosts, had they been intent upon closing him in, and heartily concurred for his destruction: but, instead of urging the war with accumulated force, they acted in separate bodies, and with jealous eye seemed to regard the progress of each other. It was not therefore to any compunction, or kind forbearance in the court of Vienna, that the inactivity of Daun was owing. The resentment of the house of Austria seemed, on the contrary, to glow with redoubled indignation, and the majority of the Germanic body seemed to enter with warmth into her quarrel*.

When

* The obstinacy of the powers in opposition to Great Britain and Prussia, appeared still more remarkable in their slighting the following declaration, which duke Lewis of Brunswic delivered to their ministers at the Hague, in the month of December, after Quebec was reduced, and the fleet of France totally defeated.

“ Their Britannic and Prussian majesties, moved with compassion at the mischiefs which the war, that has been kindled for some years, has already occasioned, and must necessarily produce, should think them-

selves wanting to the duties of humanity, and particularly to their tender concern for the preservation and well-being of their respective kingdoms and subjects, if they neglected the proper means to put a stop to the progress of so severe a calamity, and to contribute to the re-establishment of public tranquillity. In this view, and in order to manifest the purity of their intentions, in this respect, their said majesties have determined to make the following declaration, viz.

“ That they are ready to send plenipotentiaries to the place which shall be thought

When the protestant states in arms against the court of Vienna were put under the ban of the Empire, the Evangelical Body, though without the concurrence of the Swedish and Danish ministers, issued an arret at Ratisbon in the month of November of the last year, and to this annexed the twentieth article of the capitulation signed by the Emperor at his election, in order to demonstrate, that the protestant states claimed nothing but what was agreeable to the constitution. They declared, that their association was no more than a mutual engagement, by which they obliged themselves to adhere to the laws, without suffering, under any pretext, that the power of putting under the ban of the Empire should reside wholly in the Emperor. They affirmed, that this power was renounced, in express terms, by the capitulation: they therefore refused to admit, as legal, any sentence of the ban, deficient in the requisite conditions; and inferred, that, according to law, neither the elector of Brandenburg, nor the elector of Hanover, nor the duke of Wolfenbuttle, nor the landgrave of Hesse, nor the count of Lippe Buckeburg, ought to be proscribed.

An. 1759.

Arret of
the Evan-
gelical
Body at
Ratisbon.

The imperial protestant cities having acceded to this arret or declaration, the Emperor, in a rescript, required them to retract their accession to the resolution of the Evangelic Body; which, it must be owned, was altogether inconsistent with their

Answered
in a re-
script by
the Em-
peror.

most proper, in order there to treat, conjointly, of a solid and general peace, with those whom the belligerent

parties shall think fit to authorise, on their part, for the attaining so salutary an end."

An. 1759. former accessions to the resolutions of the diet against the king of Prussia. This rescript having produced no effect, the arret was answered in February by an Imperial decree of commission, carried to the dictature, importing, that the Imperial court could not longer hesitate about the execution of the ban, without infringing that very article of the capitulation which they had specified: that the invalidity of the arret was manifest, inasmuch as the electors of Brandenburg and Brunswick, the dukes of Saxe Gotha and Brunswick Wolfenbuttle, and the landgrave of Hesse-Cassel, were the very persons who disturbed the Empire: this, therefore being an affair in which they themselves were parties, they could not possibly be qualified to concur in a resolution of this nature: besides, the number of the other states which had acceded was very inconsiderable: for these reasons, the Emperor could not but consider the resolution in question as an act whereby the general peace of the Empire was disturbed, both by the parties that had incurred the ban, and by the states which had joined them, in order to support and favour their frivolous pretensions. His Imperial majesty expressed his hope and confidence, that the other electors, princes, and states of the Empire, would vote the said resolution to be null, and of no force; and never suffer so small a number of states, who were adherents of and abettors to the disturbers of the Empire, to prejudice the rights and prerogatives of the whole Germanic body; to abuse the name of the associated estates of the Augsbourg Confession, in order forcibly to impose a *factum*, intirely repugnant to the constitution of the empire; to deprive their

co-estates of the right of voting freely, and thereby endeavouring totally to subvert the system of the Germanic body.

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These remarks will speak for themselves to the reflection of the unprejudiced reader.

The implacability of the court of Vienna was equalled by nothing but the perseverance of the French ministry. Though their numerous army had not gained one inch of ground in Westphalia, the campaign on that side having ended exactly where it had begun; though the chief source of their commerce in the West-Indies had fallen into the hands of Great Britain, and they had already laid their account with the loss of Quebec; though their coffers rung with emptiness, and their confederates were clamorous for subsidies; they still resolved to maintain the war in Germany: and this was doubtless the most politic resolution to which they could adhere, because their enemies, instead of exerting all their efforts where there was almost a certainty of success, kindly condescended to seek them where alone their whole strength could be advantageously employed, without any great augmentation of their ordinary expence. Some of the springs of their national wealth were indeed exhausted, or diverted into other channels: but the subjects declared for a continuation of the war, and the necessities of the state were supplied by the loyalty and attachment of the people. They not only acquiesced in the bankruptcy of public credit, when the court stopt payment of the interest on twelve different branches of the national debt, but they likewise sent in large quantities of plate to be melted down, and coined into specie,

The
French
ministry
stop pay-
ment.

for

AN. 1759. for the maintenance of the war. All the bills drawn on the government by the colonies were protested, to an immense amount; and a stop was put to all the annuities granted at Marseilles, on sums borrowed for the use of the marine. Besides the considerable savings occasioned by these acts of state-bankruptcy, they had resources of credit among the merchants of Holland, who beheld the success of Great Britain with an eye of jealousy; and were moreover inflamed against her, with the most rancorous resentment, on account of the captures which had been made of their West-India ships by the English cruisers.

The
States-
General
send over
deputies
to Eng-
land.

In the month of February, the merchants of Amsterdam, having received advice that the cargoes of their West-Indian ships, detained by the English, would, by the British courts of judicature, be declared lawful prizes, as being French property, sent a deputation with a petition to the States-General, intreating them to use their intercession with the court of London, representing the impossibility of furnishing the proofs required, in so short a time as that prescribed by the British admiralty; and that, as the island of St. Eustatia had but one road, and there was no other way of taking in cargoes, but that of overschippen *, to which the English had objected, a condemnation of these ships, as legal prizes, would give the finishing stroke to the trade of that colony. Whatever remonstrances the States-General might have made on this subject, to the ministry of Great Bri-

* The method called overschippen, is that of using French boats to load Dutch vessels with the produce of France.

tain, they had no effect upon the proceedings of the court of admiralty, which continued to condemn the cargoes of the Dutch ships, as often as they were proved to be French property; and this resolute uniformity, in a little time, intimidated the subjects of Holland, from persevering in this illicit branch of commerce. The enemies of England in that republic, however, had so far prevailed, that in the beginning of the year, the states of Holland had passed a formal resolution to equip five and twenty ships of war; and orders were immediately dispatched to the officers of admiralty, to complete the armament with all possible expedition. In the month of April, the States-General sent over to London three ministers extraordinary, to make representations, and remove, if possible, the causes of misunderstanding that had arisen between Great Britain and the United Provinces. They delivered their credentials to the king, with a formal harangue: they said his majesty would see, by the contents of the letter they had the honour to present, how ardently their High Mightinesses desired to cultivate the sincere friendship which had so long subsisted between the two nations, so necessary for their common welfare and preservation: they expressed an earnest wish, that they might be happy enough to remove those difficulties which had for some time struck at this friendship, and caused so much prejudice to the principal subjects of the republic; who, by the commerce they carried on, constituted its greatest strength, and chief support. They declared their whole confidence was placed in his majesty's equity, for which the republic

lic

An. 1759. he had the highest regard; and in the good will he had always expressed towards a state, which, on all occasions, had interested itself in promoting his glory; a state which was the guardian of the precious trust bequeathed by a princess so dear to his affection.—“ Full of this confidence, (said they) we presume to flatter ourselves, that your majesty will be graciously pleased to listen to our just demands; and we shall endeavour, during the course of our ministry, to merit your approbation, in strengthening the bonds by which the two nations ought to be for ever united.” In answer to this oration, the king assured them, that he had always regarded their High Mightinesses as his best friends. He said, if difficulties had arisen concerning trade, they ought to be considered as the consequences of a burthensome war which he was obliged to wage with France. He desired they would assure their High Mightinesses, that he should endeavour, on his part, to remove the obstacles in question; and expressed his satisfaction, that they (the deputies) were come over with the same disposition.

What representations these deputies made further than complaints of some irregularities in the conduct of the British sea officers, we cannot pretend to specify: but, as the subject in dispute related intirely to the practice of the courts of judicature, it did not fall properly under the cognizance of the government, which hath no right to interfere with the administration of justice.

In all probability, the subjects of Holland were by no means pleased with the success of this negotiation; for they murmured against the English nation

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nation without ceasing. They threatened and complained by turns, and eagerly seized all opportunities of displaying their partiality in favour of the enemies of Great Britain. In the month of September, major-general Yorke, the British minister at the Hague, presented a memorial to the States-General, remonstrating, that the merchants of Holland carried on a contraband trade in favour of France, by transporting cannon and warlike stores, from the Baltic to Holland, in Dutch bottoms, under the borrowed names of private persons; and then conveying them by the inland rivers and canals, or through the Dutch fortresses, to Dunkirk and other places of France. He desired that the king his master might be made easy on that head, by their putting an immediate stop to such practices, so repugnant to the connections subsisting by treaty, between Great Britain and the United Provinces, as well as to every idea of neutrality. He observed, that the attention which his majesty had lately given to their representations, against the excesses of the English privateers, by procuring an act of parliament, which laid them under proper restrictions, gave him a good title to the same regard on the part of their High Mightinesses. He reminded them that their trading towns felt the good effects of these restrictions; and that the freedom of navigation, which their subjects enjoyed amidst the troubles and distractions of Europe, had considerably augmented their commerce. He observed, that some return ought to be made to such solid proofs of the king's friendship and moderation; at least, the merchants, who
were

Memorial presented to the States General, by major-general Yorke.

An. 1759. were so ready to complain of England, ought not to be countenanced in excesses which would have justified the most rigorous examination of their conduct. He recalled to their memories, that, during the course of the present war, the king had several times applied to their High Mightinesses, and to their ministers, on the liberty they had given to carry stores through the fortresses of the republic for the use of France, to invade the British dominions; and though his majesty had passed over in silence many of these instances of complaisance to his enemy, he was no less sensible of the injury; but he chose rather to be a sufferer himself, than to encrease the embarrassment of his neighbours, or extend the flames of war. He took notice that even the court of Vienna had, upon more than one occasion, employed its interest with their High Mightinesses, and lent its name to obtain passes for warlike stores and provisions for the French troops, under colour of the Barrier Treaty, which it no longer observed: nay, after having put France in possession of Ostend and Nieuport, in manifest violation of that treaty, and without any regard to the rights which they and the king his master had acquired in that treaty, at the expence of so much blood and treasure.

A counter-memorial, by the minister of France.

The memorial seems to have made some impression on the States General, as they scrupled to allow the artillery and stores belonging to the French king to be removed from Amsterdam: but these scruples vanished intirely on the receipt of a counter-memorial presented by the count d'Affry, the French ambassador, who mingled some effectual threats

threats with his expostulation. He desired them to remember, that during the whole course of the war, the French king had required nothing from their friendship that was inconsistent with the strictest impartiality; and if he had deviated from the engagements subsisting between him and the republic, it was only by granting the most essential and lucrative favours to the subjects of their High Mightinesses. He observed that the English, notwithstanding the insolence of their behaviour to the republic, had derived, on many occasions, assistance from the protection their effects had found in the territories of the United Provinces: that the artillery, stores, and ammunition belonging to Wessel were deposited in their territories, which the Hanoverian army in passing the Rhine had very little respected: that when they repassed that river, they had no other way of saving their sick and wounded from the hands of the French, than by embarking them in boats, and conveying them to places where the French left them unmolested, actuated by their respect for the neutrality of the republic: that part of their magazines was still deposited in the towns of the United Provinces; where also the enemies of France had purchased and contracted for very considerable quantities of gunpowder. He told them, that though these and several other circumstances might have been made the subject of the justest complaints, the king of France did not think it proper to require that the freedom and independency of the subjects of the republic should be restrained in branches of commerce that were not inconsistent with its neutrality,

An. 1759. lity, persuaded that the faith of an engagement ought to be inviolably preserved, though attended with some accidental and transient disadvantages : he gave them to understand, that the king his master had ordered the generals of his army carefully to avoid encroaching on the territory of the republic, and transferring thither the theatre of the war, when his enemies retreated that way before they were forced to repass the Rhine. After such unquestionable marks of regard, he said, his king would have the justest ground of complaint, if, contrary to expectation, he should hear that the artillery and stores belonging to him were detained at Amsterdam. Thirdly, he declared that such detention would be construed as a violation of the neutrality ; and demanded, in the name of the king his master, that the artillery and stores should be, without delay, forwarded to Flanders by the canals of Amsterdam and the inland navigation. This last argument was so conclusive, that they immediately granted the necessary passports, in consequence of which the cannon were conveyed to the Austrian Netherlands.

The powers in the southern parts of Europe were too much engrossed with their own concerns, to interest themselves deeply in the quarrels that distracted the German empire. The king of Spain, naturally of a melancholy complexion, and delicate constitution, was so deeply affected with the loss of his queen, who died in the course of the preceding year, that he renounced all company, neglected all business, and immured himself in a chamber at Villa Viciosa, where he gave a loose to the most

extra-

extravagant sorrow. He abstained from food and rest until his strength was quite exhausted. He would neither shift himself, nor allow his beard to be shaved: he rejected all attempts of consolation, and remained deaf to the most earnest and respectful remonstrances of those who had a right to tender their advice. In this case, the affliction of the mind must have been reinforced by some peculiarity in the constitution. He inherited a melancholy taint from his father, and this seems to have been dreaded as a family disease; for the infant Don Lewis, who likewise resided at the palace of Villa Viciosa, was fain to amuse himself with hunting, and other diversions, to prevent his being infected with the king's disorder, which continued to gain ground, notwithstanding all the efforts of medicine. The Spanish nation, naturally superstitious, had recourse to saints and relicks; but they seemed insensible to their devotion. The king, however, in the midst of all his distress, was prevailed upon to make his will, which was written by the count de Valparaíso, and signed by the duke of Bejar, high chancellor of the kingdom. The exorbitancy of his grief, and the mortifications he underwent, soon produced an incurable malady, under which he languished from the month of September in the preceding year, till the tenth of August in the present, when he expired. In his will he had appointed his brother Don Carlos, king of Naples, successor to the crown of Spain; and nominated the queen-dowager as a regent of the kingdom, until that prince should arrive. Accordingly she assumed the reins of government, and gave directions for the funeral of the deceased

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Death of
the king
of Spain.

An. 1759. king, who was interred with great pomp in the church belonging to the convent of the Visitation at Madrid,

Succeeded by his brother Don Carlos, king of Naples.

As the death of this prince had been long expected, so the politicians of Europe had universally prognosticated that his demise would be attended with great commotions in Italy. It had been agreed among the subscribing powers to the treaty of Aix-la Chapelle, that, in case Don Carlos should be advanced in the course of succession to the throne of Spain, his brother Don Philip should succeed him on the throne of Naples; and the dutchies of Parma, Placentia, and Guastalla, which now constituted his establishment, should revert to the house of Austria. The king of Naples had never acceded to this article, therefore he payed no regard to it on the death of his elder brother; but retained both kingdoms, without minding the claims of the Empress queen, who, he knew, was at that time in no condition to support her pretensions. Thus the German war proved a circumstance very favourable to his interest and ambition.

Remarkable settlement made by Don Carlos.

Before he embarked for Spain, however, he took some extraordinary steps, which evinced him a sound politician and sagacious legislator. His eldest son Don Philip, who had now attained the thirteenth year of his age, being found in a state of incurable ideotism*, he wisely and resolutely removed

* *Abstract of the report made to his catholic majesty by the physicians appointed to examine the Prince Royal, his eldest son, in consequence of which his royal highness has been*

declared incapable of succeeding to the throne of Spain. Translated from the original, published at Naples, Sept. 27.

1. Though his royal highness Don Philip is 13 years old,

moved him from the succession, without any regard to the pretended right of primogeniture, by a solemn act of abdication, and settlement of the crown of the Two Sicilies in favour of his third son Don Ferdinand. In this extraordinary act he observes,

old, he is of low stature; and yet the king his father, and the queen his mother, are both of a very proper height.

2. His royal highness has some contraction in his joints, though he can readily move, and make use of them on all occasions.

3. His royal highness is apt to stoop and to hold down his head, as people of weak eyes often do.

4. The prince most evidently squints, and his eyes frequently water and are gummy, particularly his left eye; though we cannot say he is blind, but are rather certain of the contrary, as his royal highness can without doubt distinguish objects, both as to their colour and situation.

5. In his natural functions, and the most common sensations, he is sometimes indifferent to things that are convenient for him, and at other times is too warm and impetuous. In general, his passions are not restrained by reason.

6. The prince has an obstinate aversion to some kind of common food, such as fruits, sweet-meats, &c.

7. All sorts of noise or sound disturbs and disconcerts him; and it has the same effect whether it be soft and harmonious, or harsh and disagreeable.

8. The impressions that he receives from pain or pleasure, are neither strong nor lasting, and he is utterly unacquainted with all the punctilio's of politeness and good breeding.

9. As to facts and places, he sometimes remembers them and sometimes not; but he seems not to have the least ideas of the mysteries of our holy religion.

10. He delights in childish amusements; and those which are most boisterous please him best. He is continually changing them, and shifting from one thing to another.

Signed by Don Francis Beniore, chief physician to the king and kingdom; Don Emanuel de la Rosa, physician to the Queen; and the physicians Cæsar Ciribue, Don Thomas Pinto, Don Francis Sarrao, and Don Dominique San Severino.

An. 1755.

That, according to the spirit of the treaties of this age, Europe required that the sovereignty of Spain should be separated from that of Italy, when such a separation could be effected without transgressing the rules of justice: that the unfortunate prince-royal having been destitute of reason and reflection ever since his infancy, and no hope remaining that he could ever acquire the use of these faculties, he could not think of appointing him to the succession, how agreeable soever such a disposition might be to nature and his paternal affection: he was therefore constrained, by the Divine Will, to set him aside, in favour of his third son Don Ferdinand, whose minority obliged him to vest the management of these realms in a regency, which he accordingly appointed, after having previously declared his son Ferdinand from that time emancipated, and freed not only from all obedience to his paternal power, but even from all submission to his supreme and sovereign authority. He then decreed, that the minority of the princes succeeding to the kingdom of the Two Sicilies, should expire with the fifteenth year of their age, when they should act as sovereigns, and have the intire power of the administration. He next established and explained the order of succession in the male and female line; on condition that the monarchy of Spain should never be united with the kingdoms of the Two Sicilies. Finally, he transferred and made over to the said Don Ferdinand these kingdoms, with all that he possessed in Italy; and this ordinance, signed and sealed by himself and the infant Don Ferdinand, and counter-signed by the counsellors and secretary of state, in quality of mem;

members of the regency, received all the usual forms of authenticity. After all, we can only consider it as a temporary settlement, which may remain in force until it happens to clash with the interest, ambition, or caprice of some succeeding monarch.

Don Carlos having taken these precautions for the benefit of his third son, whom he left king of Naples, embarked with the rest of his family on board a squadron of Spanish ships, who conveyed him to Barcelona. There he landed in the month of October, and proceeded to Madrid, where, as king of Spain, he was received amidst the acclamations of his people. He began his reign like a wise prince, by regulating the interior œconomy of his kingdom; by pursuing the plan adopted by his predecessor; by retaining the ministry under whose auspices the happiness and commerce of his people had been extended; and with respect to the belligerent powers, by scrupulously adhering to that neutrality from whence these advantages were in a great measure derived.

While he serenely enjoyed the blessings of prosperity, his neighbour the king of Portugal was ingrossed by a species of employment, which, of all others, must be the most disagreeable to a prince of sentiment, who loves his people; namely, the trial and punishment of those conspirators, by whose atrocious attempt his life had been so much endangered. Among these were numbered some of the first noblemen of the kingdom, irritated by disappointed ambition, inflamed by bigotry, and exasperated by revenge. The principal conspirator, Don Joseph Mascarenhas and Lencastre, duke

Detection
and pu-
nishment
of the
conspira-
tors at
Lisbon.

An. 1759. of Averio, marquis of Torres Novas, and conde of Santa Cruz, was hereditary lord-steward of the king's household, and president of the palace-court, or last tribunal of appeal in the kingdom; so that he possessed the first office in the palace, and the second of the realm. Francisco de Affiz, marquis of Tavora, conde of St. John and Alvor, was general of the horse, and head of the third noble house of the Tavoras, the most illustrious family in the kingdom, deriving their origin from the antient kings of Leon: he married his own kinswoman, who was marchioness of Tavora in her own right, and by his marriage acquired the marquissate. Louis Bernardo de Tavora was their eldest son, who, by virtue of a dispensation from the pope, had espoused his own aunt, Donna Theresa de Tavora. Joseph Maria de Tavora, his youngest brother, was also involved in the guilt of his parents. The third principal concerned was Don Jeronymo de Attaide, conde of Attouguia, himself a relation and married to the eldest daughter of the marquis of Tavora. The characters of all those personages were unblemished and respectable, until this machination was detected. In the course of investigating this dark affair, it appeared, that the duke de Averio had conceived a personal hatred to the king, who had disappointed him in a projected match between his son and a sister of the duke of Cadaval, a minor, and prevented his obtaining some commanderies which the late duke of Aveiro had possessed: that this nobleman, being determined to gratify his revenge against the person of his sovereign, had exerted all his art and address in securing the participation of the malcontents: that,

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with this view, he reconciled himself to the Jesuits, with whom he had been formerly at variance, knowing they were at this time implacably incensed against the king, who had dismissed them from their office of penitentiaries at court, and branded them with other marks of disgrace, on account of their illegal and rebellious practices in South America: the duke, moreover, insinuated himself into the confidence of the marchioness of Tavora, notwithstanding an inveterate rivalry of pride and ambition, which had long subsisted between the two families. Her resentment against the king was inflamed by the mortification of her pride in repeated repulses, when she solicited the title of duke for her husband. Her passions were artfully fomented and managed by the Jesuits, to whom she had resigned the government of her conscience; and they are said to have persuaded her, that it would be a meritorious action to take away the life of a prince who was an enemy to the church, and a tyrant to his people. She, being reconciled to the scheme of assassination, exerted her influence in such a manner as to inveigle her husband, her sons, and son-in-law, into the same infamous design; and yet this lady had been always remarkable for her piety, affability, and sweetness of disposition. Many consultations were held by the conspirators at the colleges of the Jesuits, St. Antao and St. Roque, as well as at the houses of the duke and the marquis. At last they resolved, that the king should be assassinated; and employed two ruffians, called Antonio Alvarez and Joseph Policarpio, for the execution of this design, the mis-

An. 1759. carriage of which we have related among the transactions of the preceding year.

In the beginning of January, before the circumstances of the conspiracy were known, the counts de Oberós and de Rebeira Grande were imprisoned in the castle of St. Julian, on a suspicion arising from their freedom of speech. The duchess of Aveiro, the countess of Attouguia, and the marchioness of Alorna, with their children, were sent to different nunneries; and eight Jesuits were taken into custody. A council being appointed for the trial of the prisoners, the particulars we have related were brought to light by the torture; and sentence of death was pronounced and executed upon the convicted criminals. Eight wheels were fixed upon a scaffold, raised in the square opposite to the house where the prisoners had been confined, and the thirteenth of January was fixed for the day of execution. Antonio Alvarez Ferreira, one of the assassins who had fired into the king's equipage, was fixed to a stake at one corner of the scaffold; and at the other was placed the effigies of his accomplice, Joseph Policarpio de Azevedo, who had made his escape. The marchioness of Tavora, being brought upon the scaffold between eight and nine in the morning, was beheaded at one stroke, and then covered with a linnen cloth. Her two sons, and her son in-law the count of Attouguia, with three servants of the duke de Aveiro, were first strangled at one stake, and afterwards broke upon wheels, where their bodies remained covered: but the duke and the marquis, as chiefs of the conspiracy, were broke alive, and underwent the most excruciating torments. The last
that

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that suffered was the assassin Alvarez, who being condemned to be burnt alive, the combustibles, which had been placed under the scaffold, were set on fire, the whole machine with their bodies consumed to ashes, and these ashes thrown into the sea. The estates of the three unfortunate noblemen were confiscated, and their dwelling houses razed to the ground. The name of Tavora was suppressed for ever by a public decree; but that of Mascarenha spared, because the duke de Aveiro was a younger branch of the family. A reward of ten thousand crowns was offered to any person who should apprehend the assassin who had escaped: then the embargo was taken off the shipping. The king and royal family assisted at a public Te Deum, sung in the chapel of Nossa Senhora de Livramento; on which occasion the king, for the satisfaction of his people, waved his handkerchief with both hands, to shew he was not maimed by the wounds he had received. If any such attempt upon the life of a king was infamously cruel and perfidious, it must be owned, that the punishment inflicted upon the criminals was horrible to human nature. The attempt itself was attended with some circumstances that might have staggered belief, had it not appeared but too plain that the king was actually wounded. One would imagine, that the duke de Aveiro, who was charged with designs on the crown, should have made some preparations for taking advantage of the confusion and disorder which must have been produced by the king's assassination; but we do not find that any thing of this nature was premeditated. It was no more than a desperate scheme of personal revenge,

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An. 1759. conceived without caution, and executed without conduct : a circumstance the more extraordinary, if we suppose the conspirators were actuated by the counsels of the Jesuits, who have been ever famous for finesse and dexterity. Besides, the discovery of all the particulars was founded upon confession extorted by the rack, which, at best, is a suspicious evidence. Be that as it will, the Portuguese government, without waiting for a bull from the pope, sequestered all the estates and effects of the Jesuits in that kingdom, which amounted to considerable sums, and reduced the individuals of the society to a very scanty allowance. Complaints of their conduct having been made to the pope, he appointed a congregation to examine into the affairs of the Jesuits in Portugal. In the mean time, the court of Lisbon ordered a considerable number of them to be embarked for Italy, and resolved that no Jesuit should hereafter reside within its realms. When these transports arrived at Civita Vecchia, they were, by the pope's order, lodged in the Dominican and Capuchin convents of that city, until proper houses could be prepared for their reception at Tivoli and Frascati. The most guilty of them, however, were detained in close prison in Portugal, reserved, in all probability, for a punishment more adequate to their enormities.

The session of parliament opened by commission.

England still continued to enjoy the blessings of peace, even amidst the triumphs of war. In the month of November the session of parliament was opened by commission ; and the commons attending in the house of peers, the lord-keeper harangued the parliament to this effect ; he gave them

them to understand, that his majesty had directed him to assure them, that he thought himself peculiarly happy in being able to convoke them in a situation of affairs so glorious to his crown, and advantageous to his kingdoms: that the king saw and devoutly adored the hand of Providence, in the many signal successes, both by sea and land, with which his arms had been blessed in the course of the last campaign: that he reflected with great satisfaction on the confidence which the parliament had placed in him, by making such ample provisions, and intrusting him with such extensive powers, for carrying on a war which the defence of their valuable rights and possessions, together with the preservation of the commerce of his people, had rendered both just and necessary. He enumerated the late successes of the British arms, the reduction of Goree on the coast of Africa, the conquest of so many important places in America, the defeat of the French army in Canada, the reduction of their capital city Quebec, effected with so much honour to the courage and conduct of his majesty's officers and forces, the important advantage obtained by the British squadron off Cape Lagos, and the effectual blocking up for so many months the principal part of the French navy in their own harbours: events which must have filled the hearts of all his majesty's faithful subjects with the sincerest joy; and convinced his parliament, that there had been no want of vigilance or vigour on his part, in exerting those means which they with so much prudence and public-spirited zeal had put into his majesty's hands. He observed, that the national advantages had extended even as far as the

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An. 1759. the East Indies, where, by the Divine Blessing, the dangerous designs of his majesty's enemies had miscarried, and that valuable branch of commerce had received great benefit and protection. That the memorable victory gained over the French at Minden, had long made a deep impression on the minds of his majesty's people: that if the crisis in which the battle was fought, the superior number of the enemy, the great and able conduct of his majesty's general, prince Ferdinand of Brunswic, were considered, that action must be the subject of lasting admiration and thankfulness: that if any thing could fill the breasts of his majesty's good subjects with still farther degrees of exultation, it would be the distinguished and unbroken valour of the British troops, owned and applauded by those whom they overcame. He said, the glory they had gained was not merely their own, but, in a national view, was one of the most important circumstances of our success, as it must be a striking admonition to our enemies with whom they have to contend. He told them, that his majesty's good brother and ally the king of Prussia, attacked and surrounded by so many considerable powers, had by his magnanimity and abilities, and the bravery of his troops, been able, in a surprising manner, to prevent the mischiefs concerted with such united force against him. He declared, by the command of his sovereign, that as his majesty entered into this war not from views of ambition, so he did not wish to continue it from motives of resentment: that the desire of his majesty's heart was to see a stop put to the effusion of Christian blood: that, whenever such terms of peace could be established,

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as should be just and honourable for his majesty An. 1759. and his allies; and by procuring such advantages as, from the successes of his majesty's arms, might in reason and equity be expected, should bring along with them full security for the future, his majesty would rejoice to see the repose of Europe restored on such solid and durable foundations; and his faithful subjects, to whose liberal support and unshaken firmness his majesty owed so much, happy in the enjoyment of the blessings of peace and tranquillity: but, in order to this great and desirable end, he said his majesty was confident the parliament would agree with him, that it was necessary to make ample provision for carrying on the war, in all parts, with the utmost vigour. He assured the commons, that the great supplies they had granted in the last session of parliament, had been faithfully employed for the purposes for which they were granted; but the uncommon extent of the war, and the various services necessary to be provided for, in order to secure success to his majesty's measures, had unavoidably occasioned extraordinary expences. Finally, he repeated the assurances from the throne of the high satisfaction his majesty took in that union and good harmony, which was so conspicuous among his good subjects: he said, his sovereign was happy in seeing it continued and confirmed: he observed, that experience had shewn how much the nation owed to this union, which alone could secure the true happiness of his people.

We shall not anticipate the reader's own reflection, by pretending to comment upon either the matter or the form of this harangue, which, however,

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Substance
of the ad-
dresses.

ever, produced all the effect which the sovereign could desire. The houses, in their respective addresses, seemed to vie with each other in expressions of attachment and complacency. The peers professed their utmost readiness to concur in the effectual support of such further measures as his majesty, in his *great wisdom*, should judge necessary or expedient for carrying on a war with vigour in all parts, and for disappointing and repelling any desperate attempts which might be made upon these kingdoms. The commons expressed their admiration of that true greatness of mind, which disposed his majesty's heart, in the midst of prosperities, to wish a stop put to the effusion of Christian blood, and to see tranquillity restored. They declared their entire reliance on his majesty's known wisdom and firmness, that this desirable object, whenever it should be obtained, would be upon terms just and honourable for his majesty and his allies; and, in order to effect that great end, they assured him they would cheerfully grant such supplies as should be found necessary to sustain, and press with effect, all his extensive operations against the enemy. They did not fail to re-echo the speech as usual, enumerating the trophies of the year, and extolling the king of Prussia for his consummate genius, magnanimity, unwearied activity, and unshaken constancy of mind.

Very great reason, indeed, had his majesty to be satisfied with an address of such a nature from an house of commons, in which opposition lay strangled at the foot of the minister; in which those demagogues, who had raised themselves to reputation and renown, by declaiming against continental mea-

measures, were become so perfectly reconciled to the object of their former reprobation, as to cultivate it even with a degree of enthusiasm, unknown to any former administration, and lay the nation under such contributions in its behalf, as no other m——y durst ever meditate. Thus disposed, it was no wonder they admired the moderation of their sovereign, in offering to treat of peace, after above a million of men had perished by the war, and twice that number been reduced to misery; after whole provinces had been depopulated, whole countries subdued, and the victors themselves almost crushed by the trophies they had gained.

Immediately after the addresses were presented, the commons resolved themselves into a committee of the whole house, and having unanimously voted a supply to his majesty, began to take the particulars into consideration. This committee was continued till the twelfth of May, when that whole business was accomplished. For the service of the ensuing year they voted seventy thousand seamen, including eighteen thousand three hundred and fifty five marines; and for their maintenance allotted three millions six hundred and forty thousand pounds. The number of land forces, including the British troops in Germany, and the invalids, they fixed at fifty-seven thousand two hundred and ninety-four men, and granted for their subsistence, one million three hundred eighty-three thousand seven hundred and forty-eight pounds ten pence. For maintaining other forces in the plantations, Gibraltar, Guadalupe, Africa, and the East-Indies, they allowed eight hundred forty-six thousand one hundred and sixty-eight pounds nineteen

Supplies
granted
for the
expence
of the
year
1760.

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teen shillings: for the expence of four regiments on the Irish establishment, serving in North America, they voted thirty-five thousand seven hundred and forty-four pounds eight shillings and four pence. For pay to the general and general staff-officers, and officers of the hospital for the land forces, they assigned fifty-four thousand four hundred and fifty-four pounds eleven shillings and nine pence. They voted for the expence of the militia in South and North Britain, the sum of one hundred two thousand and six pounds four shillings and eight pence. They granted for the maintenance of thirty-eight thousand seven hundred and fifty men, being the troops of Hanover, Wolfenbuttle, Saxe Gotha, and Buckeburg, retained in the service of Great Britain, the sum of four hundred forty-seven thousand eight hundred eighty-two pounds ten shillings and five pence half-penny; and for nineteen thousand Hessian troops, in the same pay, they gave three hundred sixty-six thousand seven hundred twenty-five pounds one shilling and six-pence. They afterwards bestowed the sum of one hundred eight thousand and twelve pounds twelve shillings and seven pence, for defraying the additional expence of augmentations in the troops of Hanover and Hesse, and the British army serving in the empire. For the ordinary of the navy, including half-pay to sea-officers; for carrying on the building of two hospitals, one near Gosport, and the other in the neighbourhood of Plymouth; for the support of the hospital at Greenwich; for purchasing ground, erecting wharfs, and other accommodations necessary for refitting the fleet at Halifax in Nova Scotia; for the charge of the office of ord-

ordinance, and defraying the extraordinary expence incurred by that office in the course of the last year, they allowed seven hundred eighty one thousand four hundred and eighty-nine pounds six shillings and six pence. Towards paying off the navy debt, buildings, rebuildings, and repairs of the king's ships, together with the charge of transport-service, they granted one million seven hundred and one thousand seventy-eight pounds sixteen shillings and six pence. For defraying the extraordinary expences of the land-forces, and other services not provided for by parliament, comprehending the pensions for the widows of reduced officers, they allotted the sum of nine hundred fifty-five thousand three hundred and forty-four pounds fifteen shillings and five pence half-penny. They voted one million, to empower his majesty to discharge the like sum, raised in pursuance of an act made in the last session of parliament, and charged upon the first aids or supplies to be granted in this session of parliament. They gave six hundred and seventy thousand pounds for enabling his majesty to make good his engagements with the king of Prussia, pursuant to a new convention between him and that monarch, concluded on the ninth day of November in the present year. Fifteen thousand pounds they allowed, upon account, towards enabling the principal officers of his Majesty's ordinance to defray the necessary charges and expences of taking down and removing the present magazine for gunpowder, situated in the neighbourhood of Greenwich, and of erecting it in some less dangerous situation. Sixty thousand pounds they gave to enable his majesty to fulfil his engagements with

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the landgrave of Hesse Cassel, pursuant to the separate article of a treaty between the two powers, renewed in the month of November; the sum to be paid as his most serene highness should think it most convenient, in order to facilitate the means by which the landgrave might again fix his residence in his own dominions, and by his presence give fresh courage to his faithful subjects. Five hundred thousand pounds they voted, upon account, as a present supply towards defraying the charges of forage, bread, bread waggons, train of artillery, wood, straw, provisions, and contingencies of his majesty's combined army, under the command of prince Ferdinand. To the Foundling hospital they granted five thousand pounds: and fifteen thousand for improving, widening, and enlarging the passage over and thro' London-bridge. To replace divers sums taken from the sinking-fund, they granted two hundred twenty five thousand two hundred and eighty-one pounds nineteen shillings and four pence. For the subsistence of reduced officers, including the allowances to the several officers and private men of the two troops of horse-guards and regiment of horse reduced, and to the superannuated gentlemen of the four troops of horse guards, they voted thirty-eight thousand five hundred and ninety-seven pounds nine shillings. Upon account, for the support of the colonies of Nova Scotia and Georgia, they granted twenty one thousand six hundred ninety four pounds two shillings and two pence. For enabling the king to give a proper compensation to the provinces in North America, for the expences they might incur in levying and maintain;

taining troops, according as the vigour and activity of those respective provinces should be thought by his majesty to merit, they advanced the sum of two hundred thousand pounds. The East India company they gratified with twenty thousand pounds towards enabling them to defray the expence of a military force in their settlements, in lieu of a battalion of the king's troops now returned to Ireland. Twenty-five thousand pounds were provided for the payment of the out-pensioners of Chelsea hospital. For subsequent augmentations of the British forces, since the first estimate of guards and garrisons for the ensuing year was presented, they allowed one hundred thirty-four thousand one hundred thirty-nine pounds seventeen shillings and four pence. They further voted, upon account, towards enabling the governors and guardians of the Foundling hospital to maintain, educate, and bind apprentice the children admitted into the said charity, the sum of forty-seven thousand two hundred and eighty-five pounds. For defraying the expences of maintaining the militia in South and North Britain, to the twenty fourth day of December of the ensuing year, they voted an additional grant of two hundred ninety thousand eight hundred and twenty-six pounds sixteen shillings and eight pence: and moreover, they granted fourscore thousand pounds, upon account, towards defraying the charge of pay and cloathing of the unembodied militia for the year, ending on the twenty-fifth day of March, in the year one thousand seven hundred and sixty one. For reimbursing the colony of New-York their expences in furnishing provisions and stores to the

An. 1759. troops raised by them for his majesty's service, in the campaign of the year one thousand seven hundred and fifty six, they allowed two thousand nine hundred and seventy-seven pounds seven shillings and eight pence: and for maintaining the British forts and settlements on the coast of Africa, they renewed the grant of ten thousand pounds. For the maintenance and augmentation of the troops of Brunswic, in the pay of Great Britain, for the ensuing year, pursuant to an ulterior convention concluded and signed at Paderborn on the fifth day of March, in the year one thousand seven hundred and sixty, they granted the sum of ninety thousand seven hundred and sixty-nine pounds eight shillings and eleven pence farthing; and for the troops of Hesse-Cassel in the same pay, during the same period, they allotted one hundred and one thousand ninety-six pounds three shillings and two pence. For the extraordinary expences of the land-forces, and other services incurred, from the twenty fourth day of November in the present year, to the twenty-fourth of December following, and not provided for, they granted the sum of four hundred twenty thousand one hundred and twenty pounds one shilling. To make good the deficiency of the grants for the service of this present year one thousand seven hundred and fifty-nine, they assigned the sum of seventy-five thousand one hundred and seventy pounds three pence farthing. For printing the journals of the house of commons they gave five thousand pounds; and six hundred thirty-four pounds thirteen shillings and seven pence as interest, at the rate of four per centum per annum from the twenty fifth day of August in the present year,

year, to the same day of April next, for the sum of twenty-three thousand eight hundred pounds eleven shillings and eleven pence, remaining in the office of ordnance, and not paid into the hands of the deputy of the king's remembrancer of the court of Exchequer, as directed by an act made in the last session of parliament, to make compensation for lands and hereditaments purchased for his majesty's service at Chatham, Portsmouth, and Plymouth, by reason of doubts and difficulties which had arisen touching the execution of the said act. For defraying the extraordinary charge of the mint, during the present year, they allowed eleven thousand nine hundred and forty pounds thirteen shillings and ten pence; and two thousand five hundred pounds, upon account, for paying the debts claimed and sustained upon a forfeited estate in North Britain. They likewise allowed twelve thousand eight hundred and seventy-four pounds fifteen shillings and ten pence, for defraying the charge of a regiment of light dragoons, and of an additional company to the corps commanded by lieutenant colonel Vaughan. Finally, they voted one million, upon account, to enable the king to defray any extraordinary expences of the war, incurred or to be incurred for the service of the year one thousand seven hundred and sixty; and to take all such measures as might be necessary to defeat any enterprize or designs of his enemies, as the exigency of affairs might require.

On the whole, the sum total granted in this session of parliament, amounted to fifteen millions five hundred three thousand five hundred and sixty-three pounds fifteen shillings and nine pence half-

Reflections on the supply.

An. 1759. penny: a sum so enormous, whether we consider the nation that raised it, or the purposes for which it was raised, that every Briton of a sedate mind, attached to the interest and welfare of his country, must reflect upon it with equal astonishment and concern: a sum considerably more than double the largest subsidy that was granted in the reign of queen Anne, when the nation was in the zenith of her glory, and retained half the powers of Europe in her pay; a sum almost double of what any former administration durst have asked; and near double of what the most sanguine calculators who lived in the beginning of this century, thought the nation could give without the most imminent hazard of immediate bankruptcy. Of the immense supply, which we have particularised, the reader will perceive that two millions three hundred forty-four thousand four hundred and eighty six pounds sixteen shillings and seven pence three farthings were paid to foreigners for supporting the war in Germany, exclusive of the money expended by the British troops in that country; the number of which amounted in the course of the ensuing year to twenty thousand men; a number the more extraordinary, if we consider they were all transported to that continent during the ad——n of those who declared in p—— (the words still sounding in our ears) that not a man, not even half a man, should be sent from G—— B—— to G——y, to fight the battles of any foreign e——r. Into the expence of the German war sustained by Great Britain, we must also throw the charge of transporting the English troops, the article of forage, which alone amounted, in the course of the last
cam-

campaign, to one million two hundred thousand pounds, besides pontage, waggons, horses, and many other contingencies. To the German war we may also impute the extraordinary expence incurred by the actual service of the militia, which the absence of the regular troops renders in a great measure necessary; and the loss of so many hands withdrawn from industry, from husbandry, and manufacture. The loss sustained by this connexion is equally grievous and apparent; the advantage accruing from it, either to Britain or Hanover, we have not discernment sufficient to perceive, consequently cannot be supposed able to explain.

The committee of ways and means, having duly deliberated on the articles of supply, continued sitting from the twenty-second day of November to the fourteenth of May, during which period they established the necessary funds to produce the sums which had been granted. The land tax at four shillings in the pound, and the malt tax, were continued, as the standing revenue of Great Britain. They resolved that the sum of eight millions should be raised by transferable annuities, after the rate of four pounds per centum; that an additional capital of three pounds should be added to every hundred pounds advanced, to consist of a lottery-ticket valued at three pounds, to be attended also with transferable annuities, after the rate of four per centum per annum, to commence from the fifth day of January in the year one thousand seven hundred and sixty-one, to continue for twenty years, and then be reduced to three pounds per centum per annum; and that the said sum of eight millions should bear the same

Ways and means, annuities, and a lottery.

An. 1759. interest of four per centum, commenceing on the same day, to continue for twenty-one years, and then be reduced to three pounds per centum : that the said annuities should be transferable at the bank of England, and be redeemable by parliament, in the whole or in part, by sums not less than five hundred thousand pounds at one time, after the expiration of twenty-one years, and not sooner, six months notice having been given of such payments respectively : that every subscriber should, on, or before the fifteenth day of January next, make a deposit of fifteen pounds per centum on such sum as he should choose to subscribe towards raising the eight millions, with the cashiers of the bank of England, as a security for his making the future payments, which were fixed in the following manner ; ten per centum on, or before the twenty-sixth day of February next ; ten per centum on, or before the twenty-fifth day of March next ; ten per centum on, or before the twenty-ninth day of April next : the same proportion on the last day of May ; the third day of July ; the fourteenth day of August ; the sixteenth day of September ; and the twenty-ninth day of October ; which several sums, so received, should, by the said cashiers, be paid into the receipt of the Exchequer, to be applied, from time to time, to such services as should then have been voted by the houses in this session of parliament, and not otherwise : that such of the proprietors of tallies and orders made out at the Exchequer, by virtue of an act made in the last session of parliament, for enabling the king to raise the sum of one million, for the uses and purposes therein mentioned, as should be desirous of

of subscribing a sum equal to the principal sum contained in such respective orders, and should on, or before the eighth day of January, produce the said orders, and signify such their desire to the said cashiers; should be admitted subscribers for such sums; and that any tallies or orders made out at the Exchequer, by virtue of the said act, should be received by the said cashiers, as cash, to the amount of the respective sums contained in such tallies or orders, and the interest that should be due thereupon, as well in making the said deposit, as in all subsequent payments; and that the tallies and orders so received, should be taken at the receipt of the Exchequer, and allowed in the payments to be made by the cashiers, for the amount of such principal sums and interest; and that every subscriber, who should pay in the whole of this subscription on, or before the sixteenth day of September, should be allowed a discount, after the rate of three pounds per centum per annum, from the day such subscription should be so completed, to the twenty-ninth day of October.

The next fund proposed was a new tax upon malt, with respect to which, the committee resolved, That an additional tax of three pence should be paid for every bushel of malt made in England and Wales; and three half-pence for every bushel made in Scotland, and so proportionably for any greater or lesser quantity, to be paid by the makers thereof: that three half-pence should be paid for every bushel of malt conveyed from Scotland to England and Wales; and that the aforementioned annuities and lottery should be charged upon the said duties on malt, for which the sinking fund should

Additional malt tax.

An. 1759. should be the collateral security. Touching the same imposition they resolved, that this new duty should, both in England and Scotland, be paid for every bushel of malt, whether ground or unground, which, having been made before the commencement of these additional duties, should, on or after the said day of commencement, be in the possession of any maltster, or maker of malt, for sale, seller or retailer of malt, brewer, distiller, innkeeper, victualler, vinegar-maker, or any person or persons in trust for them, or for their use; that the monies arising by the said duties should be carried to, and made part of the fund for payment of the annuities and lottery, allowing the sum of eight millions granted to his majesty in the present session of parliament.

Additional duties on stamps and spirits.

They resolved, that a stamp-duty of ten shillings should be charged on every piece of vellum or parchment, or sheet or piece of paper on which every licence for making and selling measures of capacity should be engrossed, written, or printed, as well as upon every piece of vellum or paper on which a licence for making and selling weights should be written or printed. They resolved, that a new duty of five pence should be charged upon every gallon of low wines or spirits, of the first extraction, made or drawn from any sort of liquor or wash brewed of malt or corn, or from brewer's wash or tilts, over and above all other duties charged or chargeable thereon, to be paid by the distillers or makers thereof; that for every gallon of strong waters, or aqua vitæ, made for sale, of the materials aforesaid, one shilling and three pence, over and above all other duties charged

charged and chargeable thereon, should be paid by the distillers or makers thereof; and that the same duty should be exacted of the distillers or makers, for every gallon of low wines or spirits of the first extraction, made or drawn from any foreign or imported materials, or any mixture therewith, over and above all other duties; that a new duty of eight pence per gallon should be imposed upon spirits made or drawn in Great Britain from any foreign or imported materials, or any mixture therewith: that sixpence three farthings, over and above all other duties chargeable thereon, should be paid for every gallon of low wines, or spirits of the first extraction, made or drawn from cyder, or any sort of British materials, except those before mentioned, or any mixture therewith; and that the distillers and makers should pay one shilling one penny three farthings for every gallon of spirits made for sale from cyder, or any other British materials, except those before mentioned, over and above all other duties chargeable in the same article. That, in order to encourage the exportation of spirits drawn or made in Great Britain, the like drawbacks and allowances should be made, under proper regulations, upon the exportation of rectified spirits made or drawn in Great Britain, as are now payable upon the exportation of home-made raw spirits; and that, as a further encouragement, an additional drawback or allowance of twenty-four pounds ten shillings per ton should be paid, upon the exportation of all such spirits: that an additional duty of one shilling for every gallon of single brandy, spirits, or aqua vitæ, im-
ported

An. 1759. ported from beyond seas ; and of two shillings for every gallon of such spirits above proof, commonly called double brandy, so imported, should be paid by the importer ; and that all these additional duties should stand appropriated and be applied to the same uses and purposes, respectively, as the present duties on spirituous liquors are now applicable and appropriated unto.

Resolutions of the committee of ways and means.

The committee resolved, that the three pounds per centum annuities, amounting to six millions six hundred thousand pounds, together with the additional capital of fifteen pounds added to every hundred pounds, advanced towards the said sum, amounting to nine hundred and ninety thousand pounds, granted in the last session, should be, with the consent of the several proprietors, made part of the joint stock of three pounds per centum annuities, transferable at the bank of England, consolidated by the acts in the twenty-fifth, twenty-eighth, twenty-ninth, and thirty-second of his present majesty's reign ; and the charges and expences, in respect thereof, be charged upon and paid out of the sinking fund, until redemption thereof by parliament, in the same and like manner as the annuities consolidated as aforesaid are paid and payable ; and that such persons as should not, on or before the twentieth day of June ensuing, signify their dissent, in books to be opened at the bank of England for that purpose, should be deemed assenting thereto : that all monies arising from the fifth day of January next, or that may afterwards arise from the produce of the subsidy of poundage upon certain goods and merchandizes

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An. 1759.

imported or to be imported into the kingdom; and the additional inland duty on coffee and chocolate, which were made a fund for payment of three pounds per centum per annum, at the bank of England, on six millions six hundred thousand pounds, by virtue of an act, towards the supply of this year one thousand seven hundred and fifty-nine; as also the additional capital of fifteen pounds added to every hundred advanced towards the said sum, amounting to nine hundred and ninety thousand pounds, should be made part of the sinking fund. That all duties charged upon rum or spirits of the growth, produce, and manufacture of his majesty's sugar-plantations, imported into Great Britain, should be drawn back upon the re-exportation; and that an additional drawback or allowance of three pounds three shillings per ton, should be paid upon the exportation of spirits drawn in Great Britain from molasses, over and above all other drawbacks and allowances payable thereon. They resolved to continue in force several acts and clauses relating to the jurisdiction, powers, and authorities vested in commissioners for licensing hackney chairs and coaches; and agreed, that the act for making sail-cloth, now near expiring, should be protracted. They resolved, that for raising the sum of one million, granted to his majesty towards discharging the debt of the navy, and also the sum of five hundred thousand pounds in part of the supply granted for naval services, the said sum of fifteen hundred thousand pounds should be raised by loans, or Exchequer bills, to be charged upon the first aids to be granted in the next session of par-

An. 1759. parliament; and such Exchequer-bills, if not discharged, with interest, on or before the twenty-fifth day of March, in the year one thousand seven hundred and sixty one, to be exchanged and received in payment, in such manner as Exchequer-bills have usually been exchanged and received: that the sum of two millions six hundred two thousand seven hundred and six pounds nine shillings and nine pence, should be issued and applied out of such monies as should or might arise from the surplus, excess, or overplus monies, and other revenues composing the sinking fund; and that the sum of one million should be raised by loans, or Exchequer-bills, to be charged on the first aids to be granted in the next session of parliament.

Remarks
on the
national
debt.

The whole provision, made by the committee of ways and means, amounted to sixteen millions one hundred thirty thousand five hundred and sixty-one pounds nine shillings and eight pence, exceeding the grant for the service of the year one thousand seven hundred and sixty, in the sum of six hundred twenty-six thousand nine hundred ninety-seven pounds thirteen shillings and ten pence half-penny. This excess, however, will not appear extraordinary, when we consider, that it was destined to make good the premium of two hundred and forty thousand pounds to the subscribers upon the eight million loan, as well as the deficiencies in the other grants, which never fail to make a considerable article in the supply of every session. That these gigantic strides towards the r— of p—c c—t were such as might alarm every well-wisher to his country, will perhaps more plainly appear in the sum
total

total of the national debt, which including the incumbrance of one million charged upon the civil list revenue, and provided for by a tax upon salaries and pensions, payable out of that revenue, amounted, at this period, to the tremendous sum of one hundred eight millions four hundred ninety-three thousand one hundred fifty-four pounds fourteen shillings and eleven pence one farthing. A comfortable reflection this, to a people involved in the most expensive war that ever was waged, and already burthened with such taxes as no other nation ever bore.

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It is not at all necessary to particularise the acts that were founded upon the resolutions touching the supply. We shall only observe, that in the act for the land tax, and in the act for the malt tax, there was a clause of credit, empowering the commissioners of the treasury to raise the money, which they produced, by loans of Exchequer bills, bearing an interest of four per centum per annum, that is, one per centum higher than the interest usually granted in time of peace. While the house of commons deliberated on the bill for granting to his majesty several duties upon malt, and for raising a certain sum of money to be charged on the said duties, a petition was presented by the maltsters of Ipswich and parts adjacent, against an additional duty on the stock of malt in hand: but no regard was paid to this remonstrance; and the bill, with several new amendments, passed through both houses under the title of "An act for granting to his majesty several duties upon malt, and for raising the sum of eight millions by way of annuities and a lottery, to be charged on the

Bill for
granting
several
duties on
malt.

An. 1759. the said duties; and to prevent fraudulent obtaining of allowances in the gauging of corn making into malt; and for making four duplicates of Exchequer bills, tickets, certificates, receipts, annuity-orders, and other orders lost, burned, or otherwise destroyed."

Three
other bills
relating
to the sup-
ply.

The other three bills, that turned wholly on the supply, were passed in common course, without the least opposition in either house, and received the royal assent by commission at the end of the session. The first of these, intitled, A bill for enabling his majesty to raise a certain sum of money for the uses and purposes therein mentioned, contained a clause of appropriation, added to it by instruction; and the bank was enabled to lend the million, which the commissioners of the treasury were empowered by the act to borrow, at the interest of four pounds per centum. The second, granting to his majesty a certain sum of money out of the sinking fund, for the service of the year one thousand seven hundred and sixty, comprehended a clause of credit for borrowing the money thereby granted; and another clause empowering the bank to lend it without any limitation of interest; and the third, enabling his majesty to raise a certain sum of money towards discharging the debt of the navy, and for naval services during the ensuing year, enacted, that the Exchequer bills thereby to be issued, should not be received, or pass to any receiver or collector of the public revenue, or at the receipt of the Exchequer, before the twenty-sixth day of March in the year one thousand seven hundred and sixty one.

As the act of the preceding session, prohibiting the malt-distillery, was to expire at Christmas, the commons, thinking it necessary to consider of proper methods for laying the malt-distillery under such regulations as might prevent, if possible, its being prejudicial to the health and morals of the people, began, as early as the month of November, to deliberate on this affair; which being under agitation, petitions were presented to the house by several of the principal inhabitants of Spittlefields; the mayor and commonalty of New Sarum; the gentlemen, clergy, merchants, manufacturers, tradesmen, and other inhabitants of Colchester; the mayor, aldermen, and common council of King's Lynn in Norfolk; the mayor and bailiffs of Berwick upon Tweed; representing the advantages accruing from the prohibition of the malt distillery, and praying the continuance of the act by which it was prohibited. On the other hand, counter-petitions were offered by the mayor, magistrates, merchants, manufacturers, and other gentlemen of the city of Norwich; by the land-owners and holders of the south-west part of Essex, and by the freeholders of the shires of Ross and Carmarthen in North Britain; alledging, that the scarcity of corn, which had made it necessary to prohibit the malt distillery, had ceased; and that the continuing the prohibition, beyond the necessity which had required it, would be a great loss and discouragement to the landed interest; they therefore prayed, that the said distillery might be again opened, under such regulations and restrictions as the house should think proper. These remonstrances being taken into consideration, and divers

An. 1759.

Petitions
for and
against
the prohi-
bition of
the malt-
distillery.

An. 1759. accounts perused, the house unanimously agreed that the prohibition should be continued for a limited time ; and a bill being brought in, pursuant to this resolution, passed through both houses, and received the royal assent : by which means the prohibition of the malt-distillery was continued till the twenty fourth day of December, in the year one thousand seven hundred and sixty, unless such continuation should be abridged by any other act to be passed in the present session.

Opposition to the first bill for preventing the excessive use of spirituous liquors.

The committee, having examined a great number of accounts and papers relating to spirituous liquors, agreed to four resolutions, importing, that the present high price of spirituous liquors is a principal cause of the diminution in the home-consumption thereof, and hath greatly contributed to the health, sobriety, and industry of the common people : that, in order to continue for the future the present high price of all spirits used for home-consumption, a large additional duty should be laid upon all spirituous liquors whatsoever, distilled within or imported into Great Britain : that there should be a drawback of the said additional duties, upon all spirituous liquors distilled in Great Britain, which should be exported ; and that an additional bounty should be granted, under proper regulations, upon the exportation of all spirituous liquors drawn from corn in Great Britain. A great many accounts being perused, and witnesses examined, relating to the distillery, a bill was brought in to prevent the excessive use of spirituous liquors, by laying an additional duty thereupon ; and to encourage the exportation of British made spirits. Considerable opposition was made to the bill, on the

the opinion that the additional duty proposed was too small; and that, among the resolutions, there was not so much as one that looked like a provision or restriction for preventing the pernicious abuse of such liquors. Nay, many persons affirmed, that what was proposed looked more like a scheme for increasing the public revenue, than a salutary measure to prevent excess. The merchants and manufacturers of the town of Birmingham petitioned for such restrictions. The lord mayor, aldermen, and common council of London, presented a petition by the hands of the two sheriffs, setting forth, that the petitioners had, with great pleasure, observed the happy consequences produced upon the morals, behaviour, industry, and health of the lower class of people, since the prohibition of the malt-distillery: that the petitioners, having observed a bill was brought in to allow the distilling of spirits from corn, were apprehensive that the encouragement given to the distillers thereof would prove detrimental to the commercial interest of the nation; and, they conceived, the advantages proposed to be allowed upon the exportation of such spirits, being so much above the value of the commodity, would lay such a temptation for smuggling and perjury as no law could prevent. They expressed their fears, that, should such a bill pass into a law, the excessive use of spirituous liquors would not only debilitate and enervate the labourers, manufacturers, sailors, soldiers, and all the lower class of people, and thereby extinguish industry, and that remarkable intrepidity which had lately so eminently appeared in the British nation, which must always depend on the vigour and industry of its

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people;

An. 1759. people; but also its liberty and happiness, which cannot be supported without temperance and morality, would run the utmost risque of being destroyed. They declared themselves also apprehensive, that the extraordinary consumption of bread-corn by the still, would not only raise the price so as to oppress the lower class of people; but would raise such a bar to the exportation thereof, as to deprive the nation of a great influx of money, at that time essential towards the maintaining of an expensive war, and therefore highly injure the landed and commercial interest: they therefore prayed, that the present prohibition of distilling spirits from corn might be continued, or that the use of wheat might not be allowed in distillation.

The bill
amended
and pass-
ed.

This remonstrance was corroborated by another, to the same purpose, from several merchants, manufacturers, and traders, residing in and near the city of London; and seemed to have some weight with the commons, who made several amendments to the bill, which they now intitled, "A bill for preventing the excessive use of spirituous liquors, by laying additional duties thereon; for shortening the prohibition for making low wines and spirits from wheat; for encouraging the exportation of British made spirits, and preventing the fraudulent relanding or importation thereof *." Thus altered and

* *Abstract of the Act lately passed for preventing the excessive Use of Spirituous Liquors by laying additional Duties thereon, &c.*

The additional duties following, laid on spirituous li-

quors, took place from the 21st of April, 1760.

For every gallon of low wines, or spirits of the first extraction, made from any drink or wash, or made from any sort of malt or corn, or from

and amended, it passed on a division; and, making its way through the house of lords, acquired the royal

from brewers wash or tilts, or any mixture with brewers wash or tilts, to be paid by the distillers, 5d.

For every gallon of strong waters, or aqua vitæ, made for sale, of the materials aforesaid, or any of them, to be paid by the distillers, 1s. 3d.

For every gallon of low wines, or spirits of the first extraction, made from any foreign or imported materials, or any mixture therewith, to be paid by the distillers, 1s. 3d.

For every gallon of spirits made from any foreign or imported materials, or any mixture therewith, to be paid by the distillers, 8d.

For every gallon of low wines, or spirits of the first extraction, made from cyder, or any British materials, except those before-mentioned, or any mixture therewith, to be paid by the distillers, 6½d.

For every gallon of spirits, made for sale, from cyder, or any sort or kind of British materials, except those before-mentioned, to be paid by the distillers, 1 s. 1½d.

For every gallon of single brandy spirits, or aqua vitæ, imported into Great-Britain

from beyond the seas, to be paid by the importer before landing, 1s.

For every gallon of brandy spirits, or aqua vitæ, above proof, commonly called double brandy, imported into Great-Britain from beyond the seas, to be paid by the importer before landing, 2s.

The duties in England shall be under the receipt and management of the commissioners and officers of excise there; and those in Scotland, under the commissioners and officers of excise there. The monies arising thereby shall be paid into the Exchequer at Westminster, separate from all other branches of publick revenues.

The additional duties upon rum, imported from the British plantations, shall be paid in like manner, as the former duties charged thereon.

The prohibition of extracting spirits from the materials mentioned in the acts of the 30th and 32d of Geo. II. shall be taken off.

Nevertheless, if, during the recess of parliament, the price of wheat shall exceed, for two successive market days, 48s. per quarter in the port of London; in that case, the king may, by proclamation,

An. 1759. royal sanction. Whether the law be adequate to the purposes for which it is enacted, time will determine.

continue the prohibition. The oath to be taken by the exporter, in order to intitle him to the drawback, instead of the oath appointed by an act of the 6th of Geo. II. is, That the same spirits were made in Great-Britain from corn, without any mixture with any other materials, either native or foreign, except what was necessary for the rectifying thereof, and that the duties of the said spirits have been duly paid; and that the said spirits are to be really and truly exported as merchandise, to be spent beyond the seas.

An additional drawback of 24l. 10s. per ton shall be allowed on all British-made spirits exported; oath being made on the payment of the duties and a certificate produced of the quantities shipped, and of the same being proof spirits. The same drawbacks and allowances shall be made on spirits shipped, as stores, giving previous notice thereof, and of the destination of the voyage, the ship's tonnage and hands; and the proper officer ascertaining the quantity, and the size and mark of the vessels; oath being also made, that the duties were duly paid, and a certifi-

cate produced of the quantity shipped.

No drawback shall be allowed for any spirits exported as merchandise, in casks containing less than 100 gallons, or shipped on board vessels under 100 tons burthen.

The exporter shall give bond and security, in double the value, that the goods shall be duly landed where the same are entered for exportation. The bonds shall not be discharged, till a certificate be produced from the proper officer aboard, of the due landing thereof, and of oath made by the master, &c. that the same was fairly landed there, and without any fraud in the quantity or quality of the spirits; and oath also made by the exporter at home, that the spirits were disposed of at the place mentioned in the oath referred to in the certificate. The certificates from Ireland shall be conditioned to be returned within six months; and from America within eighteen months. The like security, &c. shall be given on exporting spirits to any other parts of Europe; and like certificates produced from the British consul in those ports, &c. and

termine. The best way of preventing the excess of spirituous liquors, would be to lower the excise

An. 1759.

on

and the certificates shall be conditioned to be returned within fifteen months. The like security, &c. shall also be given upon exportation of spirits to Africa, and like oath be made by the master of the due landing thereof, and supported by the oath of the exporter; and the said proofs shall be made within eighteen months. The bonds may be put in suit, if the certificates of proofs are not duly produced.

Spirits entered for exportation, or as stores, if fraudulently relanded, or not exported, (except in cases of distress, to be made known forthwith to the proper officers) shall be forfeited with the package, together with double the amount of the drawback, &c. and the boats, horses, and carriages employed in relanding the same; and the master, if privy to, or assisting therein, shall be committed for six months; and, if the package be altered before arrival at the place of discharge, the master shall forfeit 100l. All spirits exported shall be proof spirits; and five days notice shall be given before the shipping thereof, to the proper officer, who is to mark the

casks, and take samples, paying for the same, if demanded. The penalty on not giving such notice, or obstructing the officer in the execution of his duty, shall be 100l. and the penalty of altering or reducing the quality or quantity of the spirits, after being shipped, shall be forfeiture of the spirits, and 100l. &c.

The penalty of granting a false certificate, or counterfeiting or altering any oath or certificate, or making use thereof, shall be 500l. one moiety to the crown, and the other to the prosecutor.

All persons having materials fit for distillation, and any still or stills in their possession, containing separately or together ten gallons or upwards, shall be deemed common distillers, and be surveyed accordingly. A distiller who omits giving due notice to the proper officer, before charging the still, shall forfeit 100l.

If a distiller use above one quarter of wheat to two quarters of other grain, in his grist for wash, he shall forfeit 50l.

The officers of excise, as well as those of the customs, may seize all vessels liable to

An. 1759. on beer and ale, so as to enable the poorer class of labourers to refresh themselves with a comfortable liquor, for nearly the same expence that will procure a quantity of geneva sufficient for intoxication; for it cannot be supposed that a poor wretch will expend his last penny upon a draught of small beer, without strength or the least satisfactory operation, when for the half of that sum he can purchase a cordial, that will almost instantaneously allay the sense of hunger and cold, and regale his imagination with the most agreeable illusions. Malt is now sold cheaper than it was in the first year of king James I. when the parliament enacted, that no inn-keeper, victualler, or alehouse-keeper, should sell less than a full quart of the best ale or beer, or two quarts of the small, for one penny, under the penalty of twenty shillings. It appears, then, that in the reign of James the subject payed but fourpence for a gallon of strong beer, which now costs a shilling; and as the malt is not encreased in value, the difference in the price must be intirely owing to the taxes on beer, malt and hops, which are indeed very grievous, though perhaps necessary. The duty on small beer is certainly one of the heaviest taxes imposed upon any sort of consumption, that cannot be considered as an article of

be forfeited by the acts of the 8th and 12th of Geo. I. and proceed to condemnation, in like manner as is done by the officers of the customs.

If a malt distiller shall compound, or rectify spirits into gin, brandy, or other compound spirituous liquors, he

shall forfeit 100l. and his heirs or executors shall not be intitled to sue for, or recover any debt on that trade.

The powers, rules, penalties, clauses, &c. in act 12 Car. II. or in any other law of excise, now in force, shall be extended to this act.

luxury.

luxury. Two bushels of malt, and two pounds of hops, are required to make a barrel of good small beer, which was formerly sold for six shillings; and the taxes payable on such a barrel amounted to three shillings and sixpence; so that the sum total of the imposition, on this commodity, was equal to a land-tax of eleven shillings and eight pence in the pound.

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Immediately after the resolution relating to the prohibition of spirits from wheat, a motion was made, and leave given, to bring in a bill to continue, for a time limited, the act of the last session permitting the importation of salted beef from Ireland. This permission was accordingly extended to the twenty-fourth day of December, in the year one thousand seven hundred and sixty-one. In all probability this short and temporary continuance was proposed by the favourers of the bill, in order to avoid the clamour and opposition of prejudice and ignorance, which would have been dangerously alarmed, had it been rendered perpetual. Yet, as undoubted evidence had proved before the committee, while the bill was depending, that the importation had been of great service to England, particularly in reducing the price of salted beef for the use of the navy, perhaps no consideration ought to have prevented the legislature from perpetuating the law; a measure that would encourage the graziers of Ireland to breed and fatten horned cattle, and certainly put a stop to the practice of exporting salted beef from that kingdom to France, which undoubtedly furnishes the traders of that kingdom with opportunities of exporting wool to the same country.

Bill continuing the permission to import Irish beef.

As

An. 1759.

Bill to
quicken
the exe-
cution of
the laws
relating
to the mi-
litia.

As several lieutenants of counties had, for various reasons, suspended all proceedings in the execution of the laws relating to the militia for limited times, which suspensions were deemed inconsistent with the intent of the legislature, a bill was now brought in to enable his majesty's lieutenants of the several counties of England and Wales to proceed in the execution of the militia laws, notwithstanding any adjournments. It was enacted, that as the speedy execution of the laws for regulating the militia was most essentially necessary at this juncture to the peace and security of the kingdom, every lieutenant of the place where such suspension had happened, should, within one month after the passing of this act, proceed as if there had been no such suspension; and summon a meeting for the same purpose once in every succeeding month, until a sufficient number of officers, qualified and willing to serve, should be found, or until the expiration of the act for the better ordering the militia forces.

Attempt
to esta-
blish a
militia in
North
Britain.

The establishment of a regular militia in South Britain could not fail to make an impression upon the patriots of Scotland. They were convinced, from reason and experience, that nothing could more tend to the peace and security of their country than such an establishment in North Britain, the inhabitants of which had been peculiarly exposed to insurrections, which a well-regulated militia might have prevented, or stifled in the birth; and their coast had been lately alarmed by a threatened invasion, which nothing but the want of such an establishment had rendered formidable to the natives. They thought themselves intitled to
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the same security which the legislature had provided for their fellow-subjects in South-Britain ; and could not help being uneasy at the prospect of seeing themselves left unarmed and exposed to injuries, both foreign and domestic, while the sword was put into the hands of their southern neighbours. Some of the members, who represented North Britain in parliament, moved by these considerations, as well as by the earnest injunctions of their constituents, resolved to make a vigorous effort, in order to obtain the establishment of a regular militia in Scotland. In the beginning of March it was moved, and resolved, that the house would, on the twelfth day of the month, resolve itself into a committee, to consider of the laws in being which relate to the militia in that part of Great Britain called Scotland. The result of that inquiry was, that these laws were ineffectual.

Then a motion was made for leave to bring in a bill for the better ordering of the militia forces in North Britain; and though it met with great opposition, was carried by a large majority. The principal Scottish members of the house were appointed, in conjunction with others, to prepare the bill, which was soon printed, and reinforced by petitions presented by the gentlemen, justices of the peace, and commissioners of the supply for the shire of Ayr; and by the freeholders of the shires of Edinburgh, Stirling, Perth, and Forfar. They expressed their approbation of the established militia in England ; and their ardent wish to see the benefit of that wise and salutary measure extended to North Britain. This was an indulgence they

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they had the greater reason to hope for, as by the articles of the Union they were undoubtedly intitled to be on the same footing with their brethren of England, and as the legislature must now be convinced of the necessity of some such measure, by the consternation lately produced in their defenceless country, from the threatened invasion of a handful of French freebooters. These remonstrances had no weight with the majority in the house of commons, who, either unable, or unwilling to make proper distinctions between the ill and well affected subjects of North Britain, rejected the bill, as a very dangerous experiment in favour of a people among whom so many rebellions had been generated and produced. When the motion was made for the bill's being committed, a warm debate ensued, in the course of which many Scottish members spoke in behalf of their country, with great force of argument, and a very laudable spirit of freedom. Mr. Elliot, in particular, one of the commissioners of the board of admiralty, distinguished himself by a noble flow of eloquence, adorned with all the graces of oratory, and warmed with the true spirit of patriotism. Mr. Oswald of the treasury acquitted himself with great honour on the occasion; ever nervous, steady and sagacious, independent though in office, and invariable in pursuing the true interest of his country. It must be owned, for the honour of North Britain, that all her representatives, except two, warmly contended for this national measure, which was carried in the negative by a majority of one hundred and six, though the bill was exactly modelled by
the

the late act of parliament for the establishment of the militia in England. An. 1759.

Even this institution, though certainly laudable and necessary, was attended with so many unforeseen difficulties, that every session of parliament since it was first established, has produced new acts for its better regulation. In April, leave was given to prepare a bill for limiting, confining, and better regulating, the payment of the weekly allowances made by act of parliament, for the maintenance of families unable to support themselves during the absence of militia men embodied and ordered out into actual service; as well as for amending and improving the establishment of the militia, and lessening the number of officers intitled to pay, within that part of Great Britain called England. While this bill was under consideration, the house received a petition from the mayor, aldermen, town-clerk, sheriffs, gentlemen, merchants, clergy, tradesmen and others, inhabitants of the ancient city of Lincoln, representing, That by an act passed relating to the militia, it was provided that when any militia-men should be ordered out into actual service, leaving families unable to support themselves during their absence, the overseers of the parish where such families reside, should allow them such weekly support, as should be prescribed by any one justice of the peace, which allowance should be reimbursed out of the county-stock. They alledged, that a considerable number of men, inhabitants of the said city, had entered themselves to serve in the militia of the county of Lincoln, as volunteers, for several pa-

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An. 1759. riches and persons; yet their families were, nevertheless, supported by the county stock of the city and county of the city of Lincoln. They took notice of the bill under deliberation, and prayed, that if it should pass into a law, they might have such relief in the premises, as to the house should seem meet. Regard was had to this petition in the amendments to the bill*, which passed through both

* By this law it was enacted, that if any militia man who shall have been accepted and enrolled as a substitute, hired man, or volunteer, before the passing of the act, or who shall have been chosen by lot, whether before or after the passing of the act, shall, when embodied, or called out into actual service, and ordered to march, leave a family unable to support themselves, the overseers shall, by order of some one justice of the peace, pay, out of the poor's rates of such parish, a weekly allowance to such family, according to the usual and ordinary price of labour and husbandry there; viz. for one child under the age of ten years, the price of one day's labour; for two children under the age aforesaid, the price of two days labour; for three or four children under the age aforesaid, the price of three days labour; for five or more children under the age aforesaid, the price of four days labour; and for the

wife of such militia man, the price of one day's labour; but that the families of such men only as shall be chosen by lot, and of the substitutes, hired men and volunteers, already accepted and enrolled, shall, after the passing of this act, receive any such weekly allowance. For removing the grievance complained of in the above petition, it is enacted, that where treasurers shall reimburse to overseers any money, in pursuance of this act on account of the weekly allowance to the family of any militia man, serving in the militia of any county or place, other than that wherein such family shall dwell, they are to transmit an account thereof, signed by some justice, for the place where such family shall dwell, to the treasurer of the county, &c. in the militia whereof such militia man shall serve, who is thereupon to pay him the sums so reimbursed to such overseers, and the same to be allowed in his accounts. houses,

houses, and received the royal assent by commission. During the dependance of this bill, another was brought in to explain so much of the militia act passed in the thirty-first year of his majesty's reign, as related to the money to be given to private militia-men, upon their being ordered out into actual service. By this law it was enacted, that the guinea which by the former act was due to every private man of every regiment or company of militia, when ordered out into actual service, should be payed to every man that shall afterwards be enrolled into such regiment or company whilst in actual service: that no man should be intitled to his cloaths for his own use, until he should have served three years, if unembodied, or one year, if embodied, after the delivery of the cloaths; and that the full pay of the militia should commence from the date of his majesty's warrant for drawing them out. The difficulties which these successive regulations were made to obviate, will be amply recompenced by the good effects of a national militia, provided it be employed in a national way, and for national purposes: but if the militia are embodied, and the different regiments that compose it are marched from the respective counties to which they belong; if the men are detained for any length of time, in actual service, at a distance from their families, when they might be employed at home in works of industry, for the support of their natural dependants; the militia becomes no other than an addition to, or augmentation of a standing army enlisted for the term of three years. The labour of the men is lost to the community; they contract the idle habits and dissolute manners

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Refle-
ctions on
that in-
stitution.

ners of the other troops ; their families are left as incumbrances on the community ; and the charge of their subsistence, is, at least, as heavy as that of maintaining an equal number of regular forces.

It would not, we apprehend, be very easy to account for the g———t's ordering the regiments of militia to march from their respective counties, and do duty for a considerable length of time, at a great distance from their own homes ; unless we suppose this measure was taken to create in the people a disgust to the institution of the militia, which was an establishment extorted from the f—— by the voice of the nation. We may add, that some of the inconveniencies attending a militia, will never be totally removed, while the persons drawn by lot for that service are at liberty to hire substitutes ; for it cannot be supposed, that men of substance will incur the danger, fatigue, and damage of serving in person, while they can hire among the lowest class of people, mercenaries of desperate fortune and abandoned morals, who will greedily seize the opportunity of being payed for renouncing that labour by which they were before obliged to maintain themselves and their family connexions : it would therefore deserve the consideration of the legislature, whether the privilege of hiring substitutes should not be limited to certain classes of men, who are either raised by their rank in life above the necessity of serving in person, or engaged in such occupations as cannot be intermitted without prejudice to the commonwealth. It must be allowed, that the regulation in this new act, by which the families of substitutes are deprived of any relief from the parish, will

will not only diminish the burden of the poor's rates; but also, by raising the price of mercenaries, oblige a greater number of the better sort to serve in person. Without all doubt, the fewer substitutes that are employed the more dependence may be placed upon the militia, in the preservation of our rights and privileges; and the more will the number of the disciplined men be increased, because at the expiration of every three years, the lot-men must be changed, and new militia-men chosen; but the substitutes will, in all probability, continue for life in the service, provided they can find lot-men to hire them at every rotation. The reader will forgive our being so circumstantial upon the regulations of an institution, which we cannot help regarding with a kind of enthusiastic affection.

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In the latter end of November the house of commons received a petition of several noblemen, gentlemen, and others, inhabitants of East Greenwich, and places adjacent, in Kent, representing, that in the said parish, within a quarter of a mile of the town distinguished by a royal palace, and royal hospital for seamen, there was a magazine, containing great quantities of gunpowder, frequently to the amount of six thousand barrels; that besides the great danger which must attend all places of that kind, the said magazine stood in an open field, uninclosed by any fortification or defence whatsoever, consequently exposed to treachery, and every other accident. They alleged, that if, through treachery, lightning, or any other accident, this magazine should take fire, not only their lives and properties, but the palace and hospital, the king's yards and stores at Deptford and Woolwich, the banks and navigation of

Bill for
removing
the powder-
magazine
from
Greenwich.

An. 1759. the Thames, with the ships sailing and at anchor in that river, would be inevitably destroyed; and inconceivable damage would accrue to the cities of London and Westminster. They moreover observed, that the magazine was then in a dangerous condition, supported on all sides by props that were decayed at the foundation; that, in case it should fall, the powder would in all probability, take fire, and produce the dreadful calamities above recited; they therefore prayed, that the magazine might be removed to some more convenient place, where any accident would not be attended with such dismal consequences. The subject of this remonstrance was so pressing and important, that a committee was immediately appointed to take the affair into consideration, and procure an estimate for purchasing lands and erecting a powder-magazine at Purfleet in Essex, near the banks of the river, together with guard-house, barracks, and all other necessary conveniences. While the report of the committee lay upon the table for the perusal of the members, Mr. Chancellor of the Exchequer, by his majesty's command, acquainted the house, that the king, having been informed of the subject-matter of the petition, recommended it to the consideration of the commons. Leave was immediately given to prepare a bill, founded on the resolutions of the committee; which, having been duly considered, altered, and amended, passed through both houses to the foot of the throne, where it obtained the royal sanction. The magazine was accordingly removed to Purfleet, an inconsiderable and solitary village, where there will be little danger of accident, and where no great damage would attend an explosion: but, in order to render this possible

explosion still less dangerous, it would be necessary to form the magazine of small distinct apartments, totally independent of each other, that, in case one should be accidentally blown up, the rest might stand unaffected. The same plan ought to be adopted in the construction of all combustible stores, subject to conflagration. The marine bill, and mutiny bill, as annual regulations, were prepared in the usual form, passed both houses without opposition, and received the royal assent. An. 1759.

The next affair that engrossed the deliberation of the commons, was a measure relating to the internal œconomy of the metropolis. The sheriffs of London delivered a petition of the lord mayor, aldermen, and commons, in common council assembled, representing, that several streets, lanes, and passages within the city of London, and liberties thereof, were too narrow and incommodious for the passing and repassing as well of foot-passengers as of coaches, carts, and other carriages, to the prejudice and inconvenience of the owners and inhabitants of houses, and to the great hindrance of business, trade, and commerce. They alledged, that these defects might be remedied, and several new streets opened within the said city and liberties, to the great ease, safety, and convenience of passengers, as well as to the advantage of the public in general, if they, the petitioners, were enabled to widen and enlarge the narrow streets, lanes, and passages, to open and lay out such new streets and ways, and to purchase the several houses, buildings, and grounds, which might be necessary for these purposes. They took notice, that there were several houses, within the city and liberties, partly elected over the ground of other proprie- Bill for
improving the
streets of
London.

An. 1759. tors; and others, of which the several floors or apartments belonged to different persons; so that difficulties and disputes frequently arose amongst the said several owners and proprietors, about pulling down or rebuilding the party-walls and premisses; that such rebuilding was often prevented, or delayed, to the great injury and inconvenience of those owners who were desirous to rebuild; that it would therefore be of public benefit, and frequently prevent the spreading of the fatal effects of fire, if some provision were made by law, as well for determining such disputes in a summary way, as for explaining and amending the laws then in being relating to the building of party walls. They therefore prayed, that leave might be given to bring in a bill for enabling the petitioners to widen and enlarge the several streets, lanes, and passages, and to open new streets and ways, to be therein limited and described; as well as for determining, in a summary way, all disputes arising about the rebuilding of houses or tenements within the said cities and liberties, wherein several persons have an intermixed property; and for explaining and amending the laws in being relating to these particulars. A committee being appointed to examine the matter of this petition, agreed to a report, upon which leave was given to prepare a bill, and this was brought in accordingly. Next day a great number of citizens represented, in another petition, that the pavement of the city and liberties was often damaged, by being broken up for the purposes of amending or new laying water-pipes belonging to the proprietors of water-works; and praying, that provision might be made in the bill then depending, to compel those proprietors to make

make good any damage that should be done to the pavement by the leaking or bursting of the water-pipes, or opening the pavement for alterations. In consequence of this representation, some amendments were made in the bill, which passed through both houses, and was enacted into a law, under the title of "An act for widening certain streets, lanes, and passages, within the city of London and liberties thereof; and for opening certain new streets and ways within the same, and for other purposes therein mentioned *.

* The openings to be made, and the passages to be improved and enlarged, were ascertained by two schedules, annexed to the act. With respect to the houses, buildings, and grounds to be purchased, the mayor, aldermen, and commons of the city, in common council assembled, or a committee appointed by them, were empowered to fix the price by agreement with the respective proprietors, or otherwise by a jury in the usual manner. With regard to party-walls, the act ordains, that the proprietor of either adjoining house may compel the proprietor of the other to agree to its being pulled down and rebuilt, and to pay a moiety of the expence even though it should not be necessary to pull down or rebuild either of their houses: that all party-walls shall be, at least, two bricks and a half in thickness in the cellar, and two bricks thick upwards to the top of the garret-floor. It enacts, that if any decayed house belongs to several proprietors, any one of them, who is desirous to rebuild, may oblige the others to concur, and join with him in the expence, or purchase their shares at a price to be fixed by a jury. If any house should hereafter be presented by an inquest, or grand jury, in London, as being in a ruinous condition, the court of mayor and aldermen is, by this act, empowered to pull it down at the expence of the ground-landlord. As to damaged pavements, not sufficiently repaired by the proprietors of the water-works, any justice of the peace in London is vested with power, upon their refusing or delaying to make it good, to cause it to be effectually relayed with good materials at their expence.

An. 1759. The inhabitants of Westminster had long laboured under the want of a fish-market, and complained that the price of this species of provision was kept up at an exorbitant rate by the fraudulent combination of a few dealers, who engrossed the whole market at Billingsgate, and destroyed great quantities of fish, in order to enhance the value of those that remained. An act of parliament had passed in the twenty-second year of his present majesty's reign, for establishing a free market for the sale of fish in Westminster; and, seven years after that period, it was found necessary to procure a second, for explaining and amending the first: but neither effectually answered the purposes of the legislature.

Bill relating to the sale of fish in London and Westminster.

In the month of January, of the present session, the house took into consideration a petition of the several fishermen trading to Billingsgate-market, representing the hardships to which they were exposed by the said acts; particularly forfeitures of vessels and cargoes, incurred by the negligence of servants, who had omitted to make the particular entries which the two acts prescribed. This petition being examined by a committee, and the report being made, leave was given to bring in a new bill, which should contain effectual provision for the better supplying the cities of London and Westminster with fish, and for preventing the abuses of the fishmongers. It was intitled, "A bill to repeal so much of an act passed in the twenty-ninth of George II. concerning a free market for fish at Westminster, as requires fishermen to enter their fishing-vessels at the office of the searcher of the customs at Gravesend, and to regulate the sale of

of fish at the first hand in the fish-markets in London and Westminster; and to prevent salesmen of fish buying fish to sell again on their own account; and to allow bret and turbot, brill and pearl, although under the respective dimensions mentioned in a former act, to be imported and sold; and to punish persons who shall take or sell any spawn, brood, or fry of fish, unfizable fish, or fish out of season, or smelts under the size of five inches; and for other purposes*.

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* *Abstract of an act for better supplying the cities of London and Westminster with Fish, &c.*

After the 24th day of June, 1760, the master of every fishing-vessel, within three days after the arrival of any such vessel at the Nore with any fish, shall truly report the time of such his arrival to the deputed clerk in the coast-office at the Custom-house in London, under the penalty of 50*l*, who is to enter such report in a book to be provided and kept for that purpose at the said coast-office. Every such master is also, at the time of his making such report, to leave with the said deputed clerk there, a true and particular account, either in writing or printed, of all fresh salmon, salmon-trout, turbot, and large fresh cod, and half fresh cod-fish, had-
dock, skate-fish, fresh ling,

lobsters, soles, and whittings, which shall be brought to the Nore in every such fishing-vessel, upon pain that the owner or owners of every such fishing-vessel, whose master shall refuse, neglect, or omit the same, or who shall give or leave any false or untrue account, shall, on being convicted of any such offence, forfeit 20*l*. If any master, &c. after the arrival of his vessel at the Nore, shall wilfully destroy, throw or cast away, or cause to be wilfully destroyed, thrown or cast away, any fish, which any such fishing-vessel shall have brought from sea, that is not unwholesome, perished, or unmarketable, such offender, on conviction, is to be committed to the house of correction, and to hard labour, for any time not exceeding two months. nor less than one month. The clerk at the coast-office is to receive and

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Though this and the former bill, relating to the streets and houses of London, are instances that evince

enter the said accounts, and on Monday, Wednesday, and Friday, in every week, is to return, or cause to be returned, unto the mayor of London, and to such persons as the trustees of the fish-market at Westminster, or any five of them, shall appoint, in the city of Westminster, and likewise to the inspector of the fishing-vessels, at such place as the said trustees, or any five of them, shall appoint, a true account of the time when every such respective fishing-vessel shall have been entered at the said coast-office as having arrived at the Nore, and also of the fresh salmon, salmon-trout, turbot, large fresh cod, and half-fresh cod-fish, haddock, skate-fish, fresh ling, lobsters, soles, and whittings, which shall have been entered at the said coast-office, as brought to the Nore in every such respective fishing-vessel, under the penalty of 5 *l.* for every neglect. No live salmon, salmon-trout, turbot, large fresh cod, half-fresh cod, haddock, skate-fish, fresh ling, soles, or whittings, shall, at any time after the arrival thereof at the Nore, be put into a well-boat, or store-boat, from or out of any such fishing-vessel, under the

penalty of 20 *l.* for every such offence. They are not to be unloaded, or delivered out of any such fishing-vessel (unless when sold by retail) but into the vessel employed to carry the fish directly to the market of Billingsgate or Westminster; and every such vessel, after any such fish shall be put therein, is to go on directly for the market to which they shall be bound, and is not to remain above one tide with the fish, in the passage between the place of the taking-in thereof and the market of Billingsgate or Westminster, and is not to omit delivering the cargo of fish the next market, accidents of wind and weather excepted; and if any one offends in the premises, he is to be committed to the house of correction, there to remain without bail, and be kept to hard labour for any time not exceeding two months, nor less than one month: and the inspector, for the time being, of the fishing-vessels, is to take care duly to execute his office, under the penalty of forfeiting, for every neglect, or wilful misbehaviour, 20 *l.* After the said 24th of June, no person who shall sell, or be concerned in the sale of, any fresh fish, by

evinced the care and attention of the legislature, even An.1759.
to minute particulars of the internal œconomy of
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commission, is to buy, or be concerned in the buying of, any fresh fish to sell again on his or her own separate account, or for the joint account of him or herself, or any other person, under the forfeiture, for every such offence, of 50*l.* Bret, or turbot, under the size of 16 inches, and bril, or pearl, under the size of 14 inches, are allowed to be exposed to sale, but so as the same be not sold by retail at a price or rate exceeding 6*d.* the pound: and if any person shall ask, demand, or take, for any such bret or turbot, bril or pearl, under these dimensions, any greater price than 6*d.* a pound, or shall refuse to weigh and measure every such bret or turbot, bril or pearl, which shall be exposed to sale, when required, every such bret or turbot, bril or pearl, is to be forfeited; and any person may seize the same, and deliver it into the hands of a constable, and charge such constable with the party who took any higher price; and every constable is required to carry the party so charged, and also the bret or turbot, bril or pearl, which shall be so seized and delivered to him, before some justice of the peace; and every offender, on conviction, is to forfeit 20*s.* and the bret or turbot, bril or pearl, which shall have been seized, is to be given to the person who shall prosecute to conviction any such offender; and the money paid for any such bret or turbot, bril or pearl, is to be returned to the party or parties who paid the same. No person is to sell, or expose to sale, at the first hand, at any fish-market within the limits of the weekly bills of mortality, or within 150 yards of any such fish-market, and during the market hours of any such market, any fresh salmon, salmon-trout, turbot, large fresh cod-fish, half-fresh cod-fish, haddock, skate-fish, fresh ling, lobsters, soles, or whittings, before he or she shall have first placed up, or caused to be placed up, in some conspicuous manner, on or over the stall, or place, at which he or she shall offer for sale any such fish, a true account, either wrote or printed, of all such fish which any such person shall be intrusted with to sell, distinguishing the several sorts of all such fish, and the quantity of every sort respectively, which he shall then have, or be intrusted with to sell;

An. 1759. the kingdom, we can hardly consider them as objects of such dignity and importance as to demand the deliberations of the parliament; but think they

sell; and if, at any time of the day in which any such account shall have been so placed up, and before the fish-market of that day shall be ended, any other such fish shall be brought to such person to sell, every such person, before he or she shall sell any part thereof, shall add a true account or particular thereof to the account before put up, and shall take care that every such account shall continue up until all the fish specified therein shall be sold, or the fish-market of the day shall be ended, without being defaced, or obliterated, under 10*l.* penalty for every offence, and under the penalty of 40*s.* for any one's taking down, defacing, or obliterating, any such account.

The under-water-bailiff of the city of London, and the yeomen of the water-side, for the time being, are, after the said 24th day of June, to take care that the provisions made by the act concerning the sale of fresh fish in the fish-market at Billingsgate, and for punishing the persons who shall have there any spawn, brood, or fry, of any kind of fish, or any unfizeable fish, or any fish out of season, or any smelt

of less size than five inches from the nose to the utmost extent of the tail thereof, are enforced and carried into execution; and also to prevent all regrating of fish at Billingsgate-market, or within 150 yards of Billingsgate-dock, under 5*l.* penalty for every neglect.

And the persons, for the time being, appointed to supervise the fish-market of the city of Westminster, are to take care and see, from time to time, that the provisions made by the act concerning the sale of fresh fish in the fish-market of Westminster, and for punishing persons, &c. are in like manner put in execution, under the like penalty of 5*l.* for every neglect.

And the act directs how the penalties are to be recovered and applied, and gives power to any person, deeming himself aggrieved by the determination of any justice, to appeal to the next session of the peace, which shall be held for the place wherein the conviction was made; and the determination of every such complaint at the sessions is to be final.

natural-

naturally fall within the cognizance of the municipal magistracy. After all, perhaps the most effectual method for supplying Westminster with plenty of fish, at reasonable rates, would be to execute with rigour the laws already enacted against forestalling and regrating; an expedient that would soon dissolve all monopolies and combinations among the traders; to encrease the number of markets in London and Westminster; and to establish two general markets at the Nore, one on each side of the river, where the fishing-vessels might unload their cargoes, and return to sea without delay. A number of light boats might be employed to convey fresh fish from these marts to London and Westminster, where all the different fish-markets might be plentifully supplied at a reasonable expence; for it cannot be supposed, that while the fresh fish are brought up the river in the fishing-smacks themselves, which can hardly save their tides to Billingsgate, they will ever dream of carrying their cargoes above bridge; or that the price of fish can be considerably lowered, while the fishing vessels lose so much time in running up to Gravesend or Billingsgate.

The annual committee being appointed to inquire what laws were expired, or near expiring, agreed to certain resolutions; upon which a bill was prepared, and obtained the royal assent, importing a continuation of several laws, namely, the several clauses mentioned of the acts in the fifth and eighth of king George I. against the clandestine running of uncustomed goods, except the clauses relating to quarentine; the act passed in the third of George II. relating to the carrying rice from Carolina; the

Temporary acts continued.

act

An. 1759. act in the seventh of the same reign, relating to cochineal and indigo; and that of the twelfth of George II. so far as it related to the importation of printed books. There was also a law enacted to continue to the twenty-ninth day of September, in the year one thousand seven hundred and sixty-seven, an act passed in the twelfth year of queen Anne, for encouraging the making of sail-cloth by a duty of one penny per ell laid upon all foreign made sails and sail-cloth imported, and a bounty in the same proportion granted upon all home-made sail-cloth and canvas fit for, or made into sails, and exported; another act was passed for continuing certain laws relating to the additional number of one hundred hackney coaches and chairs; which law was rendered perpetual.

New act
for ascer-
taining
the quali-
fications
of mem-
bers of
parlia-
ment.

The next law we shall mention was intended to be one of the most important that ever fell under the cognizance of the legislature: it was a law that affected the freedom, dignity, and independency of parliaments. By an act passed in the ninth year of the reign of queen Anne, it was provided that no person should be chosen member of parliament, who did not possess in England or Wales, an estate, freehold or copy-hold, for life, according to the following qualifications: for every knight of a shire, six hundred pounds per annum, over and above what will satisfy all incumbrances; and three hundred pounds per annum for every citizen, burgess, and baron of the cinque-port. It was also decreed, that the return of any person not thus qualified should be void; and that every candidate should, at the reasonable request of any other candidate at the time of election, or by two or more per-

An. 1759.

persons who had a right to vote, take an oath prescribed to establish his qualifications. This restraint was by no means effectual. So many oaths of different kinds had been prescribed since the Revolution, that they began to lose the effect they were intended to have on the minds of men; and, in particular, political perjury grew so common, that it was no longer considered as a crime. Subterfuges were discovered, by means of which this law relating to the qualification of candidates was effectually eluded. Those who were not actually possessed of such estates procured temporary conveyances from their friends and patrons, on condition of their being restored and cancelled after the election. By this scandalous fraud, the intention of the legislature was frustrated; the dignity of parliament prostituted; the example of perjury and corruption extended; and the vengeance of heaven set at defiance.

Through this infamous channel, the m—— had it in their power to thrust into p—— a set of venal beggars, who, as they depended upon their bounty, would always be obsequious to their will, and vote according to direction, without the least regard to the dictates of their conscience, or to the advantage of their country. The mischiefs attending such a vile collusion, and in particular the undue influence which the c—— must have acquired from the practice, were either felt or apprehended by some honest patriots, who, after divers unsuccessful efforts, at length presented to the house a bill, importing that every person who shall be elected a member of the house of commons, should, before he presumed to take his seat, deliver to the clerk
of

An. 1759. of the house at the table, while the commons are sitting, and the speaker in the chair, a paper or schedule signed by himself, containing a rental or particular of the lands, tenements, or hereditaments, whereby he makes out his qualification, specifying the nature of his estate, whether messuage, land, rent, tythe, or what else; and if such estate consists of messuages, lands, or tythes, then specifying in whose occupation they are; and if in rent, then specifying the names of the owners or possessors of the lands and tenements out of which such rent is issuing, and also specifying the parish, township, or precinct, and country, in which the said estate lies, and the value thereof; and every such person shall, at the same time also, take and subscribe the following oath, to be fairly written at the bottom of the paper or schedule. "I, A. B. do swear that the above is a true rental; and that I truly, and *bona fide*, have such an estate in law or equity, to and for my own use and benefit, of and in the lands, tenements or hereditaments, above described, over and above what will satisfy and clear all incumbrances that may affect the same; and that such estate hath not been granted or made over to me fraudulently, on purpose to qualify me to be a member of this house. So help me God."

It was provided that the said paper, or schedule, with the oath aforesaid, should be carefully kept by the clerk, to be inspected by the members of the house of commons, without fee or reward: that if any person elected to serve in any future parliament, should presume to sit or vote as a member of the house of commons, before he has delivered in such a paper or schedule, and taken the oath afore-



GENERAL KINGSLEY.

aforesaid, or should not be qualified according to the true intent or meaning of this act, his election should be void; and every person so sitting and voting should forfeit a certain sum, to be recovered by such person as should sue for the same by action of debt, bill, plaint, or information, whereon no essoign, privilege, protection, or wager of law, should be allowed and only one imparlance: that if any person should have delivered in, and sworn to his qualification as aforesaid, and taken his seat in the house of commons; yet at any time after should, during the continuance of such parliament, sell, dispose of, alien, or any other ways encumber, the estate, or any part thereof comprized in the schedule, so as to lessen, or reduce the same under the value of the qualification by law directed: every such person, under a certain penalty, must deliver in a new, or further qualification, according to the true intent and meaning of this act, and swear to the same, in manner before directed, before he shall again presume to sit or vote as a member of the house of commons: that in case any action, suit, or information, shall be brought, in pursuance of this act, against any member of the house of commons, the clerk of the house shall, upon demand, forthwith deliver a true and attested copy of the paper or schedule so delivered in to him as aforesaid by such member, to the plaintiff or prosecutor, or his attorney or agent, paying a certain sum for the same; which being proved a true copy, shall be admitted to be given in evidence upon the trial of any issue, in any such action. Provided always, that nothing contained in this act shall extend to the eldest son or heir apparent

An. 1759. rent of any peer or lord of parliament, or of any person qualified to serve as knight of the shire, or to the members for either of the universities, in that part of Great Britain called England, or to the members for that part of Great Britain called Scotland.

Such was the substance of the bill, as originally presented to the house of commons; but it was altered in such a manner, as, we are afraid, will fail in answering the salutary purposes for which it was intended by those who brought it into the house. Notwithstanding the provisions made in the act as it now stands *, any m——r or patron may still introduce his pensioners, clerks, and creatures

The Bill, as amended.

* *Clause 1.* ‘Whereas by an act, passed in the ninth year of the reign of her late majesty Q. Anne, intituled, “An act for securing the freedom of parliaments, by the farther qualifying the numbers to sit in the house of commons,” it was enacted, That no person should be capable to sit or vote as a member of the house of commons, for any county, city, borough, or cinque-port, within that part of Great Britain called England, the dominion of Wales, and town of Berwick upon Tweed, who should not have an estate, freehold or copyhold, for his own life, or for some greater estate, either in law or equity, to and for his own use and benefit, of or in lands, tene-

ments, or hereditaments, over and above what will satisfy and clear all incumbrances that might affect the same, lying or being within that part of Great Britain called England, the dominion of Wales, and town of Berwick upon Tweed, of the respective annual value therein limited; viz. the annual value of six hundred pounds above reprises for every knight of a shire, and the annual value of three hundred pounds above reprises for every citizen, burgess, or baron of the cinque-ports:

2. Now, in order to enforce and render the said act more effectual, Be it enacted, by the king’s most excellent majesty, by and with the advice and consent of the lords spi-

tures into the house, by means of the old method of temporary conveyance, though the farce must now

An. 1760.

spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the determination of this present parliament, every person, except as is herein after excepted, who shall be elected a member of the house of commons, shall, before he presumes to vote in the house of commons, or sit there during any debate in the said house of commons, after their speaker is chosen, produce and deliver in to the clerk of the said house, at the table in the middle of the said house, and whilst the house of commons is there duly sitting, with their speaker in the chair of the said house, a paper, or account, signed by every such member, containing the name or names of the parish, township, or precinct, or of the several parishes, townships, or precincts, and also of the county, or of the several counties, in which the lands, tenements, or hereditaments do lie, whereby he makes out his qualification, declaring the same to be of the annual value of six hundred pounds above reprises if a knight of a shire, and of the annual value of three hundred pounds above reprises if a citizen, burgess, or baron of the cinque-

Numb. 28,

ports, and shall also, at the same time, take and subscribe the following oath, viz.

“ I *A. B.* do swear, that I truly and *bona fide* have such an estate, in law or equity, and of such value, to and for my own use and benefit, of or in lands, tenements, or hereditaments, over and above what will satisfy and clear all incumbrances that may affect the same, as doth qualify me to be elected and returned to serve as a member for the place I am returned for, according to the tenor and true meaning of the acts of parliament in that behalf; and that such lands, tenements, or hereditaments do lie, as described in the paper or account signed by me, and now delivered to the clerk of the house of commons.

So help me God.

And the said house of commons is hereby impowered and required to administer the said oath and subscription according to the directions of this act, as occasion shall be, from time to time, to every person duly demanding the same, immediately after such person shall have taken the oaths of allegiance, supremacy, and abjuration, at the said table; and the said oaths and subscription, herein before directed

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An. 1760. now be kept up until the member shall have delivered in his schedule, taken his oath and his seat, in parliament; then he may deliver up the conveyance, or execute a reconveyance, without running any risque of losing his seat, or of being punished for his fraud and perjury.

The extensive influence of the c——, the general corruptibility of individuals, and the obstacles so industriously thrown in the way of every scheme contrived to vindicate the independency of p——ts, must have produced very mortifying reflections in the breast of every Briton warmed with the genuine love of his country. He must have perceived that all the bulwarks of the constitution were little better than buttresses of ice, which would infallibly thaw before the heat of m——l influence, when art-

rected to be taken and made, shall be entered in a parchment roll, to be provided for that purpose by the clerk of the house of commons; and the said papers or accounts so signed and delivered in to the said clerk as aforesaid, shall be filed and carefully kept by him.

3. And be it further enacted, by the authority aforesaid, That if any person, who shall be elected to serve in any future parliament, as a knight of a shire, or as a citizen, burghers, or baron of the cinque-port, shall presume to sit or vote, as aforesaid, as a member of the house of commons, before he has delivered in such paper or account, and taken and sub-

scribed such oath, as aforesaid; or shall not be qualified according to the true intent and meaning of the said recited act, and of this act, his election shall be, and is hereby declared to be void, and a new writ shall be issued to elect another member in the said person's room.

4. Provided always, That nothing in this act contained shall extend to the eldest son or heir apparent of any peer or lord of parliament, or of any person qualified to serve as knight of a shire, or to the members for either of the universities, in that part of Great Britain called England, or to the members for that part of Great Britain called Scotland,

fully

fully concentrated; that either a minister's professions of patriotism were insincere, or his credit insufficient to effect any essential alteration in the unpopular measures of g——t; and that, after all, the liberties of the nation could never be so firmly established, as by the power, generosity, and virtue of a patriot king. This inference could not fail to awake the remembrance of that amiable prince, whom fate untimely snatched from the eager hopes and warm affection of a whole nation, before he had it in his power to manifest and establish his favourite maxim, That a monarch's glory was inseparably connected with the happiness of his people*.

On

* The following declaration made to the chiefs of the opposition, will render the memory of the late prince of Wales dear to latest posterity.

His royal highness has authorized lord T. and sir F. D. to give the most positive assurances to the gentlemen in the opposition, of his upright intentions; that he is thoroughly convinced of the distresses and calamities that have befallen, and are every day more likely to befall this country; and therefore invites all well-wishers to this country, and its constitution, to coalite and unite with him, and upon the following principles only.

His royal highness promises and will declare it openly, that it is his intention to totally abolish any distinctions for

the future, of parties; and as far as lies in his power, and as soon as it does lie in his power, to take away for ever, all proscription from any set of men whatever, who are friends to the constitution; and therefore will promote for the present, and when it is in his power, will immediately grant,

First, A bill to empower all gentlemen to act as justices of peace, paying land-tax for 300*l.* *per annum*, in any county where he intends to serve.

Secondly, His royal highness promises in like manner to support, and forthwith grant, whenever he shall have it in his power, a bill to create and establish a numerous and effectual militia, throughout the kingdom.

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Thirty,

An. 176c.

On the first day of February, a motion was made, and leave given to bring in a bill, for enabling

Thirdly, His royal highness promises in like manner, to promote and support, and likewise grant, when it is in his power, a bill to exclude all military officers in the land-service, under the degree of colonels of regiments, and in the sea-service, under the degree of rear admirals, from sitting in the house of commons.

Fourthly, His royal highness promises that he will, when in his power, grant inquiries into the great number of abuses in offices, and does not doubt of the assistance of all honest men, to enable him to correct the same for the future.

Fifthly, His royal highness promises, and will openly declare, that he will make no agreement with or join in the support of any administration whatever, without previously obtaining the above-mentioned points in behalf of the people, and for the sake of good government. Upon these conditions, and these conditions only, his royal highness thinks he has a right not to doubt of having a most cordial support from all those good men, who mean their country and this constitution well, and that they will be-

come his and his family's friends, and unite with him to promote the good government of this country; and that they will follow him, upon these principles, both in court, and out of court; and if he should live to form an administration, it shall be composed, without distinction, of men of dignity, knowledge, and probity. His royal highness farther promises to accept of no more, if offered to him, than 800000*l.* for his civil list, by way of rent-charge.

Answer to the foregoing Proposal.

The lords and Gentlemen to whom a paper has been communicated, containing his royal highness the prince's gracious intentions upon several weighty and important points, of the greatest consequence to the honour and interest of his majesty's government, and absolutely necessary for the restoring, and perpetuating the true use and design of parliament, the purity of our excellent constitution, and the happiness and welfare of the whole nation, do therein, with the greatest satisfaction observe, and most gratefully acknowledge, the uprightness and generosity of his

abling his majesty to make leases, and copies of offices, lands and hereditaments, parcel of his dutchy of Cornwall, or annexed to the same; accordingly it passed through both houses without opposition, and enacted, that all leases and grants made or to be made, by his majesty, within seven years next ensuing, in, or annexed to, the said duchy, under the limitations therein mentioned, should be good and effectual in law, against his majesty, his heirs and successors, and against all other persons that should hereafter inherit the said duchy, either by act of parliament, or any limitation whatsoever. This act appears the more extraordinary, as the prince of Wales, who has a sort of right by prescription to the duchy of Cornwall, was then of age, and might have been put in possession of it by the passing of a patent.

An. 1760.

Act relating to leases in Cornwall.

The legislature did not refuse their attention even to the most humble articles of national œconomy. In the beginning of February, a petition was pre-

his royal highness's noble sentiments and resolutions. And therefore beg leave to return their most dutiful and humble thanks for the same, and to assure his royal highness that they will constantly and steadily use their utmost endeavours to support those his wife and salutary purposes, that the throne may be strengthened, religion and morality encouraged, faction and corruption destroyed, the purity and essence of parliament restored, and the happiness and welfare of our constitution preserved.

When the above answer was returned to the Prince, there were present,

The duke of B.

The earl of L.

The earl of T.

The earl of W.

The earl of S.

Lord F.

Lord W.

Sir Wat. Wil. W.

Sir John H. C.

Sir Walter B.

Sir Robert G.

Mr. F.

Mr. P.

Mr. C.

An. 1760.

Law concerning
the ex-
portation
of culm
from
Milford
Haven.

presented to the house by the inhabitants of the counties of Pembroke, Cardigan, and Merioneth, alledging, that lime being the chief manure for land in these counties, without which it would not produce any tolerable crops of corn, the culm used in burning it, as well as the limestone, was brought from Milford Haven, and the lower parts of the county of Pembroke, by water, to the upper parts of that county, and also to Cardiganshire and Merionethshire, where there were no lime stones, nor veins of culm and coal: that the petitioners were greatly aggrieved, by being obliged to pay the duty on such culm; and by other great difficulties and expences to which they were subjected in procuring culm for the aforementioned purpose. They pointed out the good consequences that would arise from the indulgence of the house, should it grant them relief in this particular, of which they expressed their hope accordingly.

The commons, having perused a number of accounts relating to the exportation of culm from Milford Haven, and the duties paid on this article, ordered a bill to be brought in for rendering the exportation of culm from Milford Haven, and the limits thereof, more easy to the proprietors and purchasers, and for the better securing the duties payable thereon. By this new law it was enacted, that if any person should have occasion to carry culm for the burning of lime, in any vessel not exceeding thirty tons, from any place within the limits of Milford Haven, to any other place within the counties of Pembroke, Carmarthen, Cardigan, or Merioneth, the collector, or his deputy, should, upon application from the master of the vessel,

vessel, grant him a sufferance, mentioning the quantity of culm to be shipped; that the officer to whom the sufferance was directed, should attend the shipping thereof, and certify on the back of the sufferance, the quantity shipped: that, upon paying the duty of one shilling per chaldron, the collector, or his deputy, should grant a certificate, specifying the quantity shipped, and that the duties had been duly paid; which certificate should be a sufficient let-pass or clearance of such vessel, to any place within the counties aforesaid; and that no officer should demand or take any other fee, either upon account of granting the said sufferance or certificate, or other pretence whatsoever relating to the loading or sailing of such vessel. It was also enacted, that the master, on his return, should make oath before the collector, or his deputy, where and when he landed his former cargo, before being permitted to ship any new cargo, or quantity of culm; with a penalty for preventing fraud, and provision for shipping a like cargo, duty free, in case the former should have been lost. Thus a grievance, which had remained above sixty years, was at length redressed; and pity it is, that the circumstances of the nation will not permit the whole duty on coal and culm to be intirely removed, as it falls so heavy upon manufacture, as well as upon people in the middle and lower class of life, who live in a climate which requires the use of fire and fuel for seven or eight months in the year.

The house having perused an account of the produce of the fund established for paying annuities granted in the year one thousand seven hundred and fifty-nine, with the charge on that fund, on the

An. 1760.

Act for
consoli-
dating
the an-
nuities
granted
in the
year
1759.

fifth day of January in the succeeding year, it appeared that there had been a considerable deficiency in the said fund on the fifth day of July preceding, and this had been made good out of the sinking fund, by a resolution of the seventh of February, already particularised. They therefore instructed the committee of ways and means, to consider so much of the annuity and lottery act passed in the preceding session, as related to the three per centum annuities, amounting to the sum of seven millions five hundred and ninety thousand pounds, granted in the year one thousand seven hundred and fifty nine; and also to consider so much of the said act as related to the subsidy of poundage upon certain goods and merchandizes to be imported into this kingdom, and the additional inland duty on coffee and chocolate. The committee having taken these points into deliberation, agreed to the two resolutions we have already mentioned, with respect to the consolidation; and a bill was brought in for adding those annuities granted in the year one thousand seven hundred and fifty nine, to the joint stock of three per centum annuities, consolidated by the acts of the twenty-fifth, twenty-eighth, twenty-ninth, and thirty-second years of his majesty's reign; and for several duties therein mentioned, to the sinking fund. The committee was afterwards impowered to receive a clause for cancelling such lottery tickets as were made forth in pursuance of an act passed in the thirtieth year of his majesty's reign, and were not then disposed of: a clause for this purpose was accordingly added to the bill, which passed thro' both houses without opposition, and received the royal assent at the end of the session. On

On the twenty-ninth day of April, the lord North presented to the house a bill for encouraging the exportation of rum and spirits of the growth, produce, and manufacture of the British sugar plantations, from Great Britain, and of British spirits made from molasses; a bill which in a little time acquired the sanction of the royal assent. This measure, it is to be hoped, will put an end to the practice of distilling rum from molasses in the British colonies in North America; for great quantities of molasses were daily smuggled into those plantations from the French colonies, and great quantities of spirits distilled from them, for the Indian and African trade, to the manifest prejudice of the British sugar-islands, and to the advantage of those inhabited by the French.

Bill for encouraging the exportation of rum and spirits.

Towards the end of April, admiral Townshend presented a bill for the more effectual securing the payment of such prize and bounty monies as were appropriated to the use of Greenwich hospital, by an act passed in the twenty-ninth year of his majesty's reign. As by that law, no time was limited, or particular method prescribed for giving notifications of the day appointed for the payment of the shares of the prizes and bounty money; and many agents had neglected to specify in the notification given in the London Gazette, for payment of shares of prizes condemned in the courts of admiralty in Great Britain, the particular day or time when such payments were to commence, whereby it was rendered difficult, if not impossible, to ascertain the time when the hospital at Greenwich became intitled to the unclaimed shares; of consequence could not enjoy the full benefit of the act.

Bill for the more effectual securing the payment of prize and bounty-money appropriated to the use of Greenwich Hospital.

The

An. 1760. The bill now prepared imported, that from and after the first day of September, in the present year, all notifications of the payment of the shares of prizes taken by any of his majesty's ships of war, and condemned in Great Britain, and from and after the first day of February in the year one thousand seven hundred and sixty-one, all notifications of the payment of the shares of prizes taken and condemned in any other of his majesty's dominions in Europe, or in any of the British plantations in America; and from and after the twenty-fifth day of December, in the year one thousand seven hundred and sixty-one, all notifications of the payment of the shares of prizes taken and condemned in any other of his majesty's dominions, shall be respectively given and published in the following manner: If the prize be condemned in any court of admiralty in Great Britain, such notification, under the agent's hand, shall be published in the London Gazette; and if condemned in any court of Admiralty, in any other of his majesty's dominions, such notifications shall be published in like manner in the Gazette, or other news paper of public authority, of the island or place where the prize is condemned; and if there shall be no Gazette, or such news-paper published there, then in some or one of the public news-papers of the place; and such agents shall deliver to the collector, customer, or searcher, or his lawful deputy, and if there shall be no such office, then to the principal officer or officers of the place where the prize is condemned, or to the lawful deputy of such principal officer, two of the Gazettes or other news papers in which such notifications are inserted; and if there shall

not

not be any public news-papers in any such island or place, the agent shall give two such notifications in writing, under his hand ; and every such collector or other officer as aforesaid, shall subscribe his name on both the said Gazettes, news-papers, or written notifications, and by the first ship which shall sail from thence to any port of Great Britain, shall transmit to the treasurer or deputy-treasurers of the said royal hospital, one of the said notifications with his name so subscribed, to be there registered, and shall faithfully preserve and keep the other, with his name thereon subscribed, in his own custody ; and in every notification as aforesaid, the agent shall specify his place of abode, and the precise day of the month and year appointed for the payment of the respective shares to the captors ; and all notifications with respect to prizes condemned in Great-Britain shall be published in the London Gazette three days at least before any share of such prize shall be payed ; and with respect to prizes condemned in any other part of his majesty's dominions, such notification shall be delivered to the said collector or other officers as aforesaid, three days at least before any share of such prizes shall be payed. It was likewise enacted, that the agents for the distribution of bounty-bills should insert, and publish under their hands, in the London Gazette, three days at least before payment, public notifications of the day and year appointed for such payment, and also insert therein their respective places of abode.

The bill, even as it now stands, is liable to several objections. It may be dangerous to leave the money of the unclaimed shares so long as three

An 1760. years in the hands of the agent, who, together with his securities, may prove insolvent before the expiration of that term: then the time prescribed to the sailors within which their claim is limited appears to be too short, when we consider that they may be so circumstanced, turned over to another ship, and conveyed to a distant part of the globe, that they shall have no opportunity to claim payment: and should three years elapse before they could make application to the agent, they would find their bounty or prize-money appropriated to the use of Greenwich hospital; nay, should they die in the course of the voyage, it would be lost to their heirs and executors, who, being ignorant of their title, could not possibly claim within the time limited.

Resolutions concerning weights and measures.

A committee having been appointed to enquire into the original standards of weights and measures in the kingdom of England, to consider the laws relating thereto, and to report their observations thereupon, together with their opinion of the most effectual means for ascertaining and enforcing uniform and certain standards of weights and measures, they prepared copies, models, patterns, and multiples, and presented them to the house: then they were locked up by the clerk of the house; and the lord Carysfort presented a bill, according to order, for enforcing uniformity of weights and measures to the standards by law to be established: but this measure, which had been so long in dependence, was not yet fully discussed, and the standards and weights were reserved to another occasion.

A law

A law was made for reviving and continuing so much of an act passed in the twenty-first year of his majesty's reign as relates to the more effectual trial and punishment of high treason in the highlands of Scotland; and also for continuing two other acts passed in the nineteenth and twenty-first years of his majesty's reign, so far as they related to the more effectually disarming the highlands of Scotland, and securing the peace thereof; and to allow further time for making affidavits of the execution of articles or contracts of clerks to attornies or solicitors, and filing thereof.

The king having been pleased to pardon George Keith, earl marischal of Scotland, who had been attainted for rebellion in the year one thousand seven hundred and sixteen, the parliament confirmed this indulgence, by passing an act to enable the said George Keith, late earl marischal, to sue or entertain any action of suit, notwithstanding his attainder, and to remove any disability in him, by reason of the said attainder, to take or inherit any real or personal estate, that may and shall hereafter descend or come to him, or which he was intitled to in reversion or remainder before his attainder. This nobleman, universally respected for his probity and understanding, had been employed as ambassador to the court of France by the king of Prussia, and was actually at this juncture in the service of that monarch, who, in all probability, interceded with the king of England in his behalf. When his pardon had passed the seals, he repaired to London, and was presented to his majesty, by whom he was very graciously received.

Act in favour of George Keith, late earl marischal.

These

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Session
closed.

These and a good number of other bills of less importance, both private and public, were passed into laws by commission, on the twenty-second day of May, when the lord-keeper of the great seal closed the session with a speech to both houses. He began with an assurance, that his majesty looked back on their proceedings with intire satisfaction. He said, the duty and affection which they had expressed for the king's person and government, the zeal and unanimity they had shewed in maintaining the true interest of their country, could only be equalled by what his majesty had formerly experienced from this parliament. He told them it would have given his majesty the most sensible pleasure, had he been able to assure them that his endeavours to promote a general peace had met with more suitable returns. He observed that his majesty, in conjunction with his good brother and ally the king of Prussia, had chosen to give their enemies proofs of this equitable disposition, in the midst of a series of glorious victories; an opportunity the most proper to take such a step with dignity, and to manifest to all Europe the purity and moderation of his views. After such a conduct, he said, the king had the comfort to reflect, that the further continuance of the calamities of war could not be imputed to him or his allies; that he trusted in the blessing of heaven upon the justice of his arms, and upon those ample means which the zeal of the parliament, in so good a cause, had wisely put into his hands, that his future successes in carrying on the war, would not fall short of the past: and that, in the event, the public tranquillity would be restored on solid and durable foundations. He acquainted them that his majesty had taken the

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the most effectual care to augment the combined army in Germany; and at the same time to keep up such a force at home, as might frustrate any attempts of the enemy to invade these kingdoms; such attempts as had hitherto ended only in their own confusion. He took notice that the royal navy was never in a more flourishing and respectable condition; and the signal victory obtained last winter over the French fleet, on their own coasts, had given lustre to his majesty's arms, fresh spirit to his maritime forces, and reduced the naval strength of France to a very low ebb. He gave them to understand that his majesty had disposed his squadrons in such a manner, as might best conduce to the annoyance of his enemies; to the defence of his own dominions, both in Europe and America; to the preserving and pursuing his conquests, as well as to the protection of the trade of his subjects, which he had extremely at heart. He told the commons, that nothing could relieve his majesty's royal mind, under the anxiety he felt for the burthens of his faithful subjects, but the public-spirited chearfulness with which their house had granted him such large supplies, and his conviction that they were necessary for the security and essential interests of his kingdoms; he therefore returned them his hearty thanks for these supplies, and assured them, they should be duly applied to the purposes for which they had been given. Finally, he recommended to both houses the continuance of that union and good harmony which he had observed with so much pleasure, and from which he had derived such important effects. He desired they would study to promote these desirable objects,

to

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Scope of
the war
seemingly
changed.

to support the king's government, and the good order of their respective countries, and consult their own real happiness and prosperity.

The successes of the last campaign had flushed the whole nation with the most elevated hope of future conquest, and the government was enabled to take every step which appeared necessary to realize that sanguine expectation: but the war became every day more and more germanized. Notwithstanding the immense sums that were raised for the expence of the current year; notwithstanding the great number of land forces maintained in the service, and the numerous fleets that filled the harbours of Great Britain; we do not find that one fresh effort was made to improve the advantages she had gained upon her own element; or for pushing the war on national principles: for the reduction of Canada was no more than the consequence of the measures which had been taken in the preceding campaign.

Remark-
able de-
tection of
a murder.

But before we record the progress of the war, it may be necessary to specify some domestick occurrences, that for a little while engrossed the public attention. In the month of December in the preceding year, William Andrew Horne, a gentleman of some fortune in Derbyshire, was executed at Nottingham, in the seventy-fourth year of his age, for the murder of an infant born of his own sister, in the year one thousand seven hundred and twenty-four. On the third day after the birth, this brutal ruffian thrust the child in a linen bag, and, accompanied by his own brother on horseback, conveyed it to Annesley in Nottinghamshire, where it was next day found dead under a haystack.

stack. Though this cruel rustic knew how much he lay at the mercy of his brother, whom he had made privy to this affair, far from endeavouring to engage his secrecy by offices of kindness and marks of affection, he treated him as an alien to his blood; not barely with indifference, but even with the most barbarous rigour. He not only defrauded him of his right, but exacted of him the lowest menial services; beheld him starving in a cottage, while he lived himself in affluence; and refused to relieve with a morsel of charity, the children of his own brother begging at his gate. It was the resentment of this pride and barbarity which, in all likelihood, first impelled the other to revenge. He pretended qualms of conscience, and disclosed the transaction of the child to several individuals. As the brother was universally hated for the insolence and brutality of his disposition, information was given against him, and a resolution formed to bring him to condign punishment. Being informed of this design, he tampered with his brother, and desired that he would retract, upon the trial, the evidence he had given before the justice. Though the brother rejected this scheme of subornation, he offered to withdraw himself from the kingdom, if he might have five pounds to defray the expence of his removal. So sordidly avaritious was the other, that he refused to advance this miserable pittance, though he knew his own life depended upon his compliance. He was accordingly apprehended, tried, and convicted on his brother's evidence; and then he confessed the particulars of his exposing the infant. He denied, indeed, that he had any thought the child would perish, and declared he intended

An. 1760. it as a present to the gentleman at whose gate it was laid: but as he appeared to be a hardened miscreant, devoid of humanity, stained with the complicated crimes of tyranny, fraud, rapine, incest, and murder, very little credit is due to his declaration.

Fire in
the neigh-
bourhood
of Covent
Garden.

In the course of the same month, part of Westminster was grievously alarmed by a dreadful conflagration, which broke out in the house of a cabinet maker near Covent-Garden, raged with great fury, and reduced near twenty houses to ashes. Many others were damaged, and several persons either burned in their apartments, or buried under the ruins. The bad consequences of this calamity were in a great measure alleviated by the humanity of the public, and the generous compassion of the prince of Wales, who contributed liberally to the relief of the sufferers.

Popular
clamour
against
Lord G—
S—e.

But no subject so much engrossed the conversation and passions of the public, as did the case of Lord George S—e, who had by this time resigned his command in Germany, and returned to England, the country which, of all others, it would have been his interest to avoid at this juncture, if he was really conscious of the guilt the imputation of which his character now sustained. With the first tidings of the battle fought at Minden, the defamation of this officer arrived. He was accused of having disobeyed orders, and his conduct represented as infamous in every particular. These were the suggestions of a vague report, which no person could trace to its origin; yet this report immediately gave birth to one of the most inflammatory pamphlets that ever were exhibited to
the

the public. The first charge had alarmed the people of England, jealous in honour, sudden and rash in their resentments, and obstinately adhering to the prejudices they have espoused. The implied accusation in the orders of p——e F——d, and the combustible matter superadded by the pamphlet writer, kindled up such a blaze of indignation in the minds of the people, as admitted of no temperament or controul. An abhorrence and detestation of l——d G—— S——le, as a coward and a traitor, became the universal passion, which acted by contagion, infecting all degrees of people from the cottage to the t——; and no individual, who had the least regard for his own character and quiet, would venture to preach up moderation, or even advise a suspension of belief, until more certain information could be received. Fresh fuel was continually thrown in by obscure authors of pamphlets and news-papers, who stigmatized and insulted with such virulent perseverance, that one would have imagined they were actuated by personal motives, not retained by mercenary booksellers, against that unfortunate nobleman. Not satisfied with inventing circumstances to his dishonour, in his conduct on the last occasion, they pretended to take a retrospective view of his character, and produced a number of anecdotes to his prejudice, which had never before seen the light, and but for this occasion had probably never been known. Not that all the writings which appeared on this subject contained fresh matter of aggravation against l——d G—— S——le. Some writers, either animated by the hope of advantage, or hired to

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betray the cause which they undertook to defend, entered the lists as professed champions of the accused, assumed the pen in his behalf, devoid of sense, unfurnished with materials, and produced performances which could not fail to injure his character among all those who believed that he countenanced their endeavours, and supplied them with the facts and arguments of his defence.

His
address
to the
public.

Such precisely was the state of the dispute, when l—— G—— arrived in London. While p—— F——d was crowned with laurel; while the k—— of G—— B——n approved his conduct, and as the most glorious mark of that approbation, invested him with the order of the garter; while his name was celebrated through all England, and extolled in the warmest expressions of hyperbole, above all the heroes of antiquity; every mouth was opened in execration of the late commander of the British troops in Germany. He was now made acquainted with the particulars of this imputed guilt, which he had before indistinctly learned. He was accused of having disobeyed three successive orders he had received from the general, during the action at Minden, to advance with the cavalry of the right wing, which he commanded, and sustain the infantry that were engaged; and after the cavalry were put in motion, of having halted them unnecessarily, and marched so slow, that they could not reach the place of action in time to be of any service; by which conduct the opportunity was lost of attacking the enemy when they gave way, and rendering the victory more glorious and decisive. The first step which lord G—— took towards his own vindication with the

public, was in printing a short address *, intreating them to suspend their belief with respect to his

* *A short address from Lord GEORGE SACKVILLE to the Public:*

The various reports that have been propagated to my disadvantage, and the many falsehoods which have been asserted to ruin my character, lay me under the necessity of remaining not entirely silent, though I am debarred at present from stating my case to the public, as I should have done, had I not assurances of obtaining a court-martial for my trial, the only legal and effectual method of convincing the world how little foundation there has been for the torrent of calumny and abuse which has been so maliciously thrown out against me.

I had rather, upon this occasion, submit myself to all the inconveniencies that may arise from the want of stile, than borrow assistance from the pens of others, as I can have no hopes of establishing my character, but from the force of truth. I shall, therefore, as plainly, and distinctly as possible, relate a few circumstances, which will at least shew that nobody could be more desirous than I was to bring truth to light, and subject my conduct to the strictest scrutiny.

The instant I found by the implied censure given out in orders the 2d of August, that my conduct had appeared in an unfavourable light to prince Ferdinand, on the day of action, I endeavoured to inform myself what particular I had either failed in or neglected my duty; I heard in general of disobedience of orders, but I could fix no certain period of time to my supposed crime, till colonel Fitzroy acquainted me with what had passed between his serene highness and him upon my subject, in regard to the orders delivered to me by him (colonel Fitzroy) that day; whenever my trial comes, I shall endeavour to clear up that point to the satisfaction of the public: my own assertions may have little weight, but the oaths of witnesses, whose veracity cannot be called in question, will, I trust, prove my innocence beyond the possibility of doubt.

Under these circumstances, I immediately applied for his majesty's permission to return to England, that I might answer any accusation that should be brought against me; for, as commander in chief of the British forces in Germany, no person there could order a court-martial for my trial, had there been an accusation

An. 1760. character, until the charge brought against him should be legally discussed by a court martial; a

laid; the power of summoning courts-martial, and approving their sentences, was vested in me by my commission, and no British officer or soldier could be tried by any other authority,

As soon as I arrived in London, on Friday evening the 7th, I instantly wrote the following letter to the secretary of state.

My Lord,

"I have the honour of acquainting your lordship with my arrival in England, in pursuance of his majesty's permission, sent to me, at my request, by your lordship.

I thought myself much injured abroad, by an implied censure upon my conduct; I find I am still more unfortunate at home, by being publicly represented as having neglected my duty in the strongest manner, by disobeying the positive orders of his serene highness prince Ferdinand: as I am conscious of neither neglect, nor disobedience of orders; as I am certain I did my duty to the utmost of my abilities; and as I am persuaded that the prince himself would have found, that he had no just cause of complaint against me, had he condescended to have enquired into my conduct, before he

had expressed his disapprobation of it, from the partial representation of others: I therefore most humbly request, that I may at last have a public opportunity given me of attempting to justify myself to his majesty, and to my country, by a court-martial being appointed; that if I am guilty, I may suffer such punishment as I may have deserved; and, if innocent, that I may stand acquitted in the opinion of the world: but it is really too severe to have been censured unheard, to have been condemned before I was tried, and to be informed neither of my crime, nor my accusers.

I am, my Lord, &c. &c.

GEORGE SACKVILLE."

I received an answer to this letter on Monday the 10th, in which I was assured, that a court-martial, upon my application, would be granted, as soon as the officers, capable of giving evidence, could leave their posts; but previously to the receipt of that letter, I was dismissed from all my military employments: notwithstanding which dismissal, I still hope, and am informed, that I may have the advantage of a legal trial.

In the mean time, the only indulgence I have to ask is, that

trial which he had already solicited, and was in hope of obtaining. An. 1760.

Finding himself unable to stem the tide of popular prejudice, which flowed against him with irresistible impetuosity, he might have retired in quiet and safety, and left it to ebb at leisure. This would have been generally deemed a prudential step, by all those who considered the unfavourable medium through which every particular of his conduct must have been viewed at that juncture, even by men who cherished the most candid intentions; when they reflected upon the power, influence, and popularity of his accuser; the danger of aggravating the resentment of the s—, already too conspicuous; and the risque of hazarding his life on the honour and integrity of witnesses, who might think their fortunes depended upon the nature of the evidence they should give. Notwithstanding those suggestions l—d G—e, seemingly impatient of the imputation under which his character laboured, insisted upon the privilege of a legal trial, which was granted accordingly, after

He demands a court-martial.

that the public will suspend its judgment till such facts can be produced, from which alone the truth can appear; but if plans of a battle are to be referred to, which can give no just idea of it; if dispositions of the cavalry and infantry are supposed, which never existed; if orders for attacks and pursuits are quoted, which never were delivered; and if disobedience to those imaginary orders are asserted as a crime, what can an injured officer, under such circumstances, have recourse to, but claiming that justice, which is due to every Englishman, of being heard before he is condemned; the sooner that happens, the happier I shall be, as I am conscious my innocence must appear, when real facts are truly stated and fully proved.

GEORGE SACKVILLE.

An. 1760. the judges had given it as their opinion, that he might be tried by a court-martial, though he no longer retained any commission in the service. A court of general officers being appointed and assembled to enquire into his conduct, the judge-advocate gave him to understand that he was charged with having disobeyed the orders of prince Ferdinand, relative to the battle of Minden.

Situation
of the
right
wing of
the allies
at the
battle of
Minden.

That the reader may have the more distinct idea of the charge, it is necessary to remind him that l— G—— S——e commanded the cavalry of the right wing, consisting of Hanoverian and British horse, disposed in two lines, the British being at the extremity on the right, extending to the village of Hartum; the Hanoverian cavalry forming the left, that reached almost to an open wood or grove, which divided the horse from the line of infantry, particularly from that part of the line of infantry consisting of two brigades of British foot, the Hanoverian guards, and Hardenberg's regiment. This was the body of troops which sustained the brunt of the battle with the most incredible courage and perseverance. They of their own accord advanced to attack the left of the enemy's cavalry, through a most dreadful fire of artillery and small arms, to which they were exposed in front and flank; they withstood the repeated attacks of the whole French gendarmerie, whom, at length, they totally routed, together with a body of Saxon troops on their left; and to their valour the victory was chiefly owing. The ground from which these troops advanced was a kind of heath or plain, which opened a considerable way to the left, where the rest of the army was formed in order of battle; but

but on the right it was bounded by the wood, on the other side of which the cavalry of the right wing was posted, having in front the village of Halen, from whence the French had been driven by the piquets in the army there posted, and in front of them a windmill, situated in the middle space between them and a battery placed on the left of the enemy.

Early in the morning captain Malhorti had, by order of prince Ferdinand, posted the cavalry of the right wing in the situation we have just described, the village of Hartum with inclosures on the right, a narrow wood on the left, the village of Halen in their front, and a windmill in the middle of an open plain, which led directly to the enemy. In this position lord G— S— was directed to remain, until he should receive further orders; and here it was those orders were given which he was said to have disobeyed. Indeed, he was previously charged with having neglected the orders of the preceding evening, which imported, that the horses should be saddled at one in the morning, though the tents were not to be struck, nor the troops under arms, until they should receive further orders. He was accused of having disobeyed these orders, and of having come late in the field, after the cavalry was formed. Captain Winchingrode, aid du camp to prince Ferdinand, declared upon oath, that while the infantry of the right wing were advancing towards the enemy for the second time, he was sent with orders to lord G— S— to advance with the cavalry of the right wing, and sustain the infantry, which was going to engage, by forming the horse under his command, upon the heath

Sub-
stance
of the
charge
against
lord G—

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heath in a third line behind the regiments; that he delivered these orders to lord G— S—, giving him to understand that he should march the cavalry through the wood, or trees on his left, to the heath where they were to be formed; that, on his return to the heath, he met colonel Fitzroy riding at full gallop towards lord G—; and that he (Winchingerode) followed him back in order to hasten the march of the cavalry. Col. Ligonier, another of the prince's aids du camp, deposed that he carried orders from the general to lord G— to advance with the cavalry, in order to profit from the disorder which appeared in the enemy's cavalry; that lord G— made no answer to these orders, but turning to the troops, commanded them to draw their swords, and march; that the colonel seeing them advance a few paces on the right forwards, told his lordship he must march to the left; that in the mean time colonel Fitzroy arriving with orders for the British cavalry only to advance, lord G— said the orders were contradictory, and colonel Ligonier replied they differed only in numbers; but the destination of his march was the same, to the left. Colonel Fitzroy, the third aid du camp to prince Ferdinand, gave evidence that when he told lord G— it was the prince's order for the British cavalry to advance towards the left, his lordship observed, that it was different from the order brought by colonel Ligonier, and he could not think the prince intended to break the line; that he asked which way the cavalry was to march, and who was to be their guide; that when he (the aid du camp) offered to lead the column through the wood on the left, his lordship seemed still dissatisfied with the order, saying

ing it did not agree with the order brought by colonel Ligonier, and desired to be conducted in person to the prince, that he might have an explanation from his own mouth; a resolution which was immediately executed. The next evidence, an officer of rank in the army, made oath that in his opinion, when the orders were delivered to lord G—, his lordship was alarmed to a very great degree, and seemed to be in the utmost confusion. A certain nobleman, of high rank and unblemished reputation, declared that captain Winchgrode, having told him it was absolutely necessary that the cavalry should march and form a line, to support the foot, he had given orders to the second line to march; that as soon as they arrived at the place where the action began, he was met by col. Fitzroy with an order for the cavalry to advance as fast as possible; that in marching to this place, an order came to halt, until they could be joined by the first line of cavalry; that afterwards, in advancing, they were again halted by lord G— S—; that, in his opinion, they might have marched with more expedition, and even come up in time enough to act against the enemy; some other officers, who were examined on the subject, agreed with the m— in these sentiments.

Lord G—, in his defence, proved by undeniable evidence, that he never received the orders issued on the eve of the battle, nor any sort of intimation or plan of action, although he was certainly intitled to some such communication as commander in chief of the British forces; that, nevertheless, the orders concerning the horses were obeyed by those who received them; that lord G—, instead of loitering or losing time while the troops

Particulars of his
l—p's
defence.

An. 1760. were forming, prepared to put himself at the head of the cavalry on the first notice that they were in motion; that he was so eager to perform his duty, as to set out from his quarters, without even waiting for an aid du camp to attend him, and was in the field before any general officer of his division. He declared that, when captain Winchingrode delivered the order to form the cavalry in one line, making a third, to advance and sustain the infantry, he neither heard him say he was to march by the left, nor saw him point with his sword to the wood thro' which he was to pass. Neither of these directions were observed by any of the aids du camp or officers then present, except one gentleman, the person who bore witness to the confusion in the looks and deportment of his lordship. It was proved, that the nearest and most practicable way of advancing against the enemy was by the way of the windmill, to the left of the village of Halen. It appeared that lord G— imagined this was the only way by which he should be ordered to advance; that, in this persuasion, he had sent an officer to reconnoitre the village of Halen as an object of importance, as it would have been upon the flank of the cavalry in advancing forwards; that when he received the order from Winchingrode to form the line and advance, he still imagined this was his route, and, on this supposition, immediately detached an aid du camp to remove a regiment of Saxe Gotha, which was in the front; that he sent a second to observe the place where the infantry were, and a third to reconnoitre the enemy; that in a few minutes, colonel Ligonier coming up with an order from prince F— to advance the cavalry, his lordship immediately drew his sword, and ordered them

to march forward by the windmill. The colonel declared that when he delivered the order, he added, "by the left!" but lord G—affirmed that he heard no such direction: nor did it reach the ears of any other person then present, except of that officer who witnessed to the same direction given by Winchingrode. It was proved that immediately after the troops were put in motion, colonel Fitzroy arrived with an order from prince F—, importing that the British cavalry only should advance by the left; that lord G—declared their orders were contradictory, and seemed the more puzzled, as he understood that both these gentlemen came off nearly at the same time from the prince, and were probably directed to communicate the same order. It was therefore natural to suppose there was a mistake, as there might be danger in breaking the line, as the route by the wood appeared more difficult and tedious than that by the windmill, which led directly through open ground to the enemy; and as he could not think that if a body of horse was immediately wanted, the general would send for the British, that were at the farthest extremity of the wing, rather than for the Hanoverian cavalry, who formed the left of the line, and consequently were much nearer the scene of action. It was proved that lord G—, in this uncertainty, resolved to apply for an explanation to the p—in person, who he understood was at a small distance; that with this view, he set out with all possible expedition; that having entered the wood, and perceived that the country beyond it opened sooner to the left than he had imagined, and captain Smith, his aid du camp, advising that the British cavalry should be

An. 1760. put in motion, he sent back that gentleman with orders for them to advance by the left with all possible dispatch; that he rode up to the general, who received him without any marks of displeasure, and ordered him to bring up the whole cavalry of the right wing in a line upon the heath; an order, as the reader will perceive, quite different from that which was so warmly espoused by the aid du camp; that as the marquis of G— had already put the second line in motion, according to a separate order which he had received, and the head of his column was already in view, coming out of the wood, lord G— thought it necessary to halt the troops on the left, until the right should come into the line, and afterwards send them orders to march slower, that two regiments, which had been thrown out of the line, might have an opportunity to replace themselves in their proper stations.

Remarks
on his
defence.

With respect to the confusion which one officer affirmed was perceivable in the countenance and deportment of this commander, a considerable number of other officers then present, being interrogated by his lordship, unanimously declared, that they saw no such marks of confusion, but that he delivered his orders with all the marks of coolness and deliberation. The candid reader will of himself determine, whether a man's heart is to be judged by any change of his complexion, granting such a change to have happened; whether the evidence of one witness, in such a case, will weigh against the concurrent testimony of all the officers whose immediate business it was to attend and observe the commander: whether it was likely that an officer, who had been more than once in actual service, and



LORD GEORGE SACKVILLE.

behaved without reproach, so as to attain such an eminent rank in the army, should exhibit symptoms of fear and confusion, when there was in reality no appearance of danger; for none of these orders imported that he should attack the enemy, but only advance to sustain the infantry. The time which elapsed from the first order he received by captain Winchingrode, to the arrival of colonel Ligonier, did not exceed eight minutes, during which his aid du camp, captain Hugo, was employed in removing the Saxe Gotha regiment from the front, by which he proposed to advance. From that period till the cavalry actually marched, in consequence of an order from lord G—, the length of time was differently estimated in the opinion of different witnesses, but, at a medium, computed by the judge-advocate at 15 minutes, during which, the following circumstances were transacted: the troops were first ordered to advance forwards, then halted; the contradictory orders arrived and were disputed; the commander desired the two aids du camp to agree about which was the precise order, and he would obey it immediately; each insisting upon that which he had delivered, lord G-- hastened to the general for an explanation; and as he passed the wood, sent back captain Smith to the right of the cavalry, which was at a considerable distance, to put the British horse in motion. We shall not pretend to determine whether the commander of such an important body may be excusable for hesitating, when he receives contradictory orders at the same time, especially when both orders run counter to his own judgment; whether in that case it is allowable for him to suspend the operation for a few minutes, in order

to

An. 1760. to consult in person the commander in chief, about a step of such consequence to the preservation of the whole army. Neither will we venture to decide dogmatically on the merits of the march, after the cavalry were put in motion; whether they marched too slow, or were unnecessarily halted, in their way to the heath. It was proved indeed, that lord G— was always remarkably slow in his movements of cavalry, on the supposition that if horses are blown, they must be unfit for service, and that the least hurry is apt to disorder the line of horse to such a degree, as would rob them of their proper effect, and render all their efforts abortive. This being the system of lord G—— S——e, it may deserve consideration, whether he could deviate from it on this delicate occasion, without renouncing the dictates of his own judgment and discretion; and whether he was at liberty to use his own judgment, after having received the order to advance. After all, whether he was intentionally guilty, and what were the motives by which he was really actuated, are questions which his own conscience alone can solve. Even granting him to have hesitated from perplexity, to have lingered from vexation, to have failed through error of judgment, he will probably find favour with the candid and humane part of his fellow-subjects, when they reflect upon the nature of his situation, placed at the head of such a body of cavalry, uninstructed and uninformed of plan or circumstance, divided from the rest of the army, unacquainted with the operations of the day, chagrined with doubt and disappointment, and perplexed by contradictory orders, neither of which he could execute without offering violence

to his own judgment; when they consider the endeavours he used to manifest his obedience; the last distinct order, which he in person received and executed; that mankind are liable to mistakes; that the cavalry were not originally intended to act, as appears in the account of the battle, published at the Hague, by the authority of p—— F——d, expressly declaring, that the cavalry on the right did not act, because it was destined to sustain the infantry in a third line; that if it had really been designed for action, it ought either to have been posted in another place, or permitted to advance straight forwards by the wind mill, according to the idea of its commander; finally, when they recal to view the general confusion that seems to have prevailed through the manœuvres of that morning, and remember some particulars of the action; that the brigades of British artillery had no orders until they applied to lord G—— S——, who directed them to the spot where they acquitted themselves with so much honour and effect, in contributing to the success of the day; that the glory and advantage acquired by the few brigades of infantry, who may be said to have defeated the whole French army, was in no respect owing to any general or particular orders or instructions, but entirely flowing from the native valour of the troops, and the spirited conduct of their immediate commanders; and that a great number of officers in the allied army, even of those who remained on the open heath, never saw the face of the enemy, or saw them at such a distance that they could not distinguish more than the hats and the arms of the British regiments with which they were engaged.

An. 1760. With respect to the imputation of cowardice levelled at lord G—— by the unthinking multitude, and circulated with such industry and clamour, we ought to consider it as a mob-accusation, which the bravest of men, even the great duke of Marlborough, could not escape; we ought to receive it as a dangerous suspicion, which strikes at the root of character, and may blast that honour in a moment, which the soldier has acquired in a long course of painful service, at the continual hazard of his life; we ought to distrust it as a malignant charge, altogether inconsistent with the former conduct of the person accused, as well as with his subsequent impatience and perseverance in demanding a trial, to which he never would have been called; a trial, which, though his life was at stake, and his cause out of countenance, he sustained with such courage, fortitude, and presence of mind, as even his enemies themselves could not help admiring. Thus have we given a succinct detail of this remarkable affair, with that spirit of impartiality, that sacred regard to truth, which the importance of history demands. To the best of our recollection, we have forgot no essential article of the accusation, nor suppressed any material circumstance urged in defence of lord G—— S——he. Unknown to his person, unconnected with his friends, unmoved by fear, unbiassed by interest, we have candidly obeyed the dictates of justice, and the calls of humanity, in our endeavours to dissipate the clouds of prejudice and misapprehension, warmed perhaps with an honest disdain at the ungenerous, and, in our opinion, unjust persecution, which, previous to his trial, an officer of rank, service,

G E O R G E II.

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vice, and character, the descendant of an illustrious family, the son of a nobleman universally respected, a Briton; a fellow-subject, had undergone.

An. 1760;

The court martial having examined the evidence, and heard the defence, gave judgment in these words: "The court, upon due consideration of the whole matter before them, is of opinion, that lord G—— S—— is guilty of having disobeyed the orders of prince F——d of B——k, whom he was, by his commission and instructions, directed to obey as commander in chief, according to the rules of war; and it is the farther opinion of this court, that the said lord G—— S—— is, and he is hereby adjudged, unfit to serve his majesty in any military capacity whatsoever." His sentence was confirmed by the king, who moreover signified his pleasure, that it should be given out in public orders, not only in Britain, but in America and every quarter of the globe, where any English troops happened to be, that officers being convinced, that neither high birth nor great employments can shelter offences of such a nature; and that seeing they are subject to censures much worse than death to a man who has any sense of honour, they may avoid the fatal consequences arising from disobedience of orders. To complete the disgrace of this unfortunate general, his majesty in council called for the council-book, and ordered the name of lord G—— S—— to be struck out of the list of privy-countellors.

Sentence
of the
court-
martial.

This summer was distinguished by another trial, still more remarkable. Laurence earl Ferrers, a nobleman of a violent spirit, who had committed many outrages, and, in the opinion of all who

Earl Fer-
rers ap-
prehend-
ed for
murder.

An. 1760. knew him, given manifold proofs of insanity, at length perpetrated a murder, which subjected him to the cognizance of justice. His deportment to his lady was so brutal, that application had been made to the house of peers, and a separation effected by act of parliament. Trustees were nominated; and one Mr. Johnson, who had, during the best part of his life, been employed in the family, was now appointed receiver of the estates, at the earl's own request. The conduct of this man in the course of his stewardship gave umbrage to lord Ferrers, whose disposition was equally jealous and vindictive. He imagined all his own family had conspired against his interest, and that Johnson was one of their accomplices; that he had been instrumental in obtaining the act of parliament, which his lordship considered as a grievous hardship; that he had disappointed him in regard to a certain contract about coal-mines; in a word, that there was a collusion between Johnson and the earl's adversaries. Fired with these suppositions, he first expressed his resentment by giving Johnson notice to quit the farm which he possessed on the estate; but finding the trustees had confirmed the lease, he determined to gratify his revenge by assassination, and laid his plan accordingly. On Sunday the thirteenth of January, he appointed this unhappy man to come to his house, on the Friday following, in order to peruse papers, or settle accompts; and Johnson went thither, without the least suspicion of what was prepared for his reception: for although he was no stranger to his lordship's dangerous disposition, and knew he had some time before incurred his displeasure, yet he imagined his resentment

had intirely subsided, as the earl had of late behaved to him with remarkable complacency. He therefore at the time appointed repaired to his lordship's house of Stanton in Leicestershire, at the distance of a short mile from his own habitation, and was admitted by a maid servant. The earl had dismissed every person in the house, upon various pretences, except three women who were left in the kitchen. Johnson advancing to the door of the apartment, was received by his lordship, who desired him to walk into another room, where he joined him in a few minutes, and then the door was locked on the inside. After a great deal of warm expostulation, the earl insisted upon his subscribing a paper, acknowledging himself a villain; and on his refusing to comply with this demand, declared he would put him to death. In vain the unfortunate man remonstrated against this cruel injustice, and deprecated the indignation of this furious nobleman. He remained deaf to all his intreaties, drew forth a pistol, which he had loaded for the purpose, and commanding him to implore heaven's mercy on his knees, shot him through the body while he remained in that supplicating attitude. The consequence of this violence was not immediate death; but his lordship seeing the wretched victim still alive and sensible, tho' agonized with pain, felt a momentary motion of pity. He ordered his servants to convey Mr. Johnson up-stairs to a bed, to send for a surgeon, and give immediate notice of the accident to the wounded man's family. When Mr. Johnson's daughter came to the house, she was met by the earl, who told her he had shot her father on purpose, and with deliberation.

An. 1760,

The same declaration he made to the surgeon at his arrival. He stood by him while he examined the wound, described the manner in which the ball had penetrated, and seemed surprised that it should be lodged within the body. When he demanded the surgeon's opinion of the wound, the operator thought proper to temporize, for his own safety, as well as for the sake of the public, lest the earl should take some other desperate step, or endeavour to escape. He therefore amused him with hopes of Johnson's recovery, about which he now seemed extremely anxious. He supported his spirits by immoderate drinking, after having retired to another apartment with the surgeon, whom he desired to take all possible care of his patient. He declared, however, that he did not repent of what he had done; that Johnson was a villain, who deserved to die; that, in case of his death, he (the earl) would surrender himself to the house of peers, and take his trial. He said he could justify the action to his own conscience; and owned his intention was to have killed Johnson outright; but as he still survived, and was in pain, he desired that all possible means might be used for his recovery. Nor did he seem altogether neglectful of his own safety: he endeavoured to tamper with the surgeon, and suggest what evidence he should give when called before a court of justice. He continued to drink himself into a hate of intoxication, and all the cruelty of his hate seemed to return. He would not allow the wounded man to be removed to his own house, saying, he would keep him under his own roof, that he might plague the villain. He returned to the chamber where Johnson lay,

lay, insulted him with the most opprobrious language, threatened to shoot him through the head, and could hardly be restrained from committing further acts of violence on the poor man, who was already in extremity. After he retired to bed, the surgeon procured a sufficient number of assistants, who conveyed Mr. Johnson in an easy-chair to his own house, where he expired that same morning, in great agonies. The same surgeon assembled a number of armed men to seize the murderer, who at first threatened resistance, but was soon apprehended, endeavouring to make his escape, and committed to the county-prison. From thence he was conveyed to London by the goaler of Leicester, and conducted by the usher of the black rod and his deputy into the house of lords, where the coroner's inquest, and the affidavits touching the murder being read, the goaler delivered up his prisoner to the care of the black rod, and he was immediately committed to the Tower. He appeared very calm, composed, and unconcerned, from the time of his being apprehended; conversed coolly on the subject of his imprisonment; made very pertinent remarks upon the nature of the habeas corpus act of parliament, of which he hoped to avail himself; and when they withdrew from the house of peers, desired he might not be visited by any of his relations or acquaintances. His understanding, which was naturally good, had been well cultivated; his arguments were rational, but his conduct was frantic.

The circumstances of this assassination appeared so cruel and deliberate, that the people cried aloud for vengeance; and the government gave up the

B b 4

offender

His trial
by the
House of
P—rs.

An. 1760. offender to the justice of his country. The lord-keeper Henley was appointed lord high steward for the trial of earl Ferrers, and sat in state with all the peers and judges in Westminster hall, which was for this purpose converted into a very august tribunal. On the sixteenth day of April the delinquent was brought from the Tower in a coach, attended by the major of the Tower, the gentleman-goaler, the wardours, and a detachment of the foot-guards. He was brought into court about ten; and the lord-steward with the peers taking their places, he was arraigned aloud, in the midst of an infinite concourse of people, including many foreigners, who seemed wonderfully struck with the magnificence and solemnity of the tribunal. The murder was fully proved by unquestionable evidence: but the earl pleaded insanity of mind; and, in order to establish this plea, called many witnesses to attest his lunacy in a variety of instances, which seemed too plainly to indicate a disordered imagination; unfounded jealousy of plots and conspiracies, unconnected ravings, fits of musing, incoherent ejaculations, sudden starts of fury, denunciations of unprovoked revenge, frantic gesticulations, and a strange caprice of temper, were proved to have distinguished his conduct and deportment. It appeared, that lunacy had been a family taint, and affected divers of his lordship's relations; that a solicitor of reputation had renounced his business, on the full persuasion of his being disordered in his brain; that, long before this unhappy event, his nearest relations had deliberated upon the expediency of taking out a commission of lunacy against him, and were prevented

vented by no other reason than the apprehension of being convicted of *scandalum magnatum*, should the jury find his lordship *compos mentis*; a circumstance which in all probability would have happened, inasmuch as the earl's madness did not appear in his conversation, but in his conduct. A physician of eminence, whose practice was confined to persons labouring under this infirmity, declared that the particulars of the earl's deportment, and personal behaviour, seemed to indicate lunacy. Indeed, all his neighbours and acquaintances had long considered him as a madman; and a certain noble l—— declared in the h—— of p——, when the bill of separation was on the carpet, that he looked upon him in the light of a maniac; and that, if some effectual step was not taken to divest him of the power of doing mischief, he did not doubt but that one day they should have occasion to try him for murder. The lawyers, who managed the prosecution in behalf of the crown, endeavoured to invalidate the proofs of his lunacy, by observing, that his lordship was never so much deprived of his reason, but that he could distinguish between good and evil; that the murder he had committed was the effect of revenge, for a conceived injury of some standing; that the malice was deliberate; and the plan artfully conducted; that, immediately after the deed was perpetrated, the earl's conversation and reasoning was cool and consistent, until he drank himself into a state of intoxication; that, in the opinion of the greatest lawyers, no criminal can avail himself of the plea of lunacy, provided the crime was committed during a lucid interval: but his lordship,
far

An. 1760. far from exhibiting any marks of insanity, had, in the course of this trial, displayed uncommon understanding and sagacity in examining the witnesses, and making many shrewd and pertinent observations on the evidence which was given. These sentiments were conformable to the opinion of the peers, who unanimously declared him guilty. After all, in examining the vicious actions of a man, who has betrayed manifest and manifold symptoms of insanity, it is not easy to distinguish those which were committed during the lucid interval. The suggestions of madness are often momentary and transient: the determinations of a lunatic, though generally rash and instantaneous, are sometimes the result of artful contrivance; but there is always an absurdity which is the criterion of the disease, either in the premises or conclusion. The earl, it is true, had formed a deliberate plan for the perpetration of the murder; but he had taken no precaution for his own safety, or escape: and this neglect will the more plainly appear to have been the criterion of insanity, if we reflect that he justified what he had done as a meritorious action; and declared he would, upon Mr. Johnson's death, surrender himself to the house of lords. Had he been impelled to this violence by a sudden gust of passion, it could not be expected that he should have taken any measures for his own preservation; but as it was the execution of a deliberate scheme, and his lordship was by no means defective in point of ingenuity, he might easily have contrived means for concealing the murder, until he should have accomplished his escape: and, in our opinion, any other than a madman would either have

have taken some such measures, or formed some plan for the concealment of his own guilt. The design itself seems to have been rather an intended sacrifice to justice, than a gratification of revenge. Neither do we think that the sanity of his mind was ascertained by the accuracy and deliberation with which he made his remarks, and examined the evidence at his trial. The influence of his frenzy might be past; though it was no sign of sound reason to supply the prosecutor with such an argument to his prejudice. Had his judgment been really unimpaired, he might have assumed the masque of lunacy for his own preservation.

The trial was continued for two days; and on the third the lord-steward, after having made a short speech touching the heinous nature of the offence, pronounced the same sentence of death upon the earl which malefactors of the lowest class undergo; that from the Tower, in which he was imprisoned, he should, on the Monday following, be led to the common place of execution, there to be hanged by the neck, and his body be afterwards dissected and anatomized. This last part of the sentence seemed to shock the criminal extremely: he changed colour, his jaw quivered, and he appeared to be in great agitation; but during the remaining part of his life he behaved with surprising composure, and even unconcern. After he had received sentence, the lords his judges, by virtue of a power vested in them, respited his execution for one month, that he might have time to settle his temporal and spiritual concerns. Before sentence was passed, the earl read a paper, in which he

Convicted;
ed;

An. 1760. he begged pardon of their lordships for the trouble he had given, as well as for having, against his own inclination, pleaded lunacy, at the request of his friends. He thanked them for the candid trial with which he had been indulged, and intreated their lordships to recommend him to the king for mercy. He afterwards sent a letter to his ma——, remonstrating, that he was the representative of a very antient and honourable family, which had been allied to the crown; and requesting, that, if he could not be favoured with the species of death which, in cases of treason, distinguishes the nobleman from the plebeian, he might at least, out of consideration of his family, be allowed to suffer in the Tower, rather than at the common place of execution: but this indulgence was refused. From his return to the Tower, to the day of his execution, he betrayed no mark of apprehension or impatience; but regulated his affairs with precision, and conversed without concern or restraint.

and executed at
Tyburn.

On the fifth day of May, his body being demanded by the sheriffs at the Tower-gate, in consequence of a writ under the great seal of England, directed to the lieutenant of the Tower, his lordship desired permission to go in his own landau, and appeared gaily dressed in a light coloured suit of cloaths, embroidered with silver. He was attended in the landau by one of the sheriffs, the chaplain of the tower, followed by the chariots of the sheriffs, a mourning-coach and six filled with his friends, and a hearse for the conveyance of his body. He was guarded by a posse of constables, a party of horse-grenadiers, and a detach-

detachment of infantry; and in this manner the procession moved from the Tower, through an infinite concourse of people, to Tyburn, where the gallows, and a scaffold erected under it, appeared covered with black bays. The earl behaved with great composure to Mr. sheriff Vaillant, who attended him in the landau: he observed, that the gaiety of his apparel might seem odd on such an occasion; but that he had particular reasons for wearing that suit of cloaths; he took notice of the vast multitude which crouded around him, brought thither, he supposed, by curiosity to see a nobleman hanged: he told the sheriff he had applied to the king, by letter, that he might be permitted to die in the Tower, where the earl of Essex, one of his ancestors, had been beheaded in the reign of queen Elizabeth; an application which, he said, he had made with the more confidence, as he had the honour to quarter part of his majesty's arms. He expressed some displeasure at being executed as a common felon, exposed to the eyes of such a multitude. The chaplain, who had never been admitted to him before, hinting that some account of his lordship's sentiments on religion would be expected by the public, he made answer, that he did not think himself accountable to the public for his private sentiments; that he had always adored one God, the creator of the universe; and; with respect to any particular opinions of his own, he had never propagated them, or endeavoured to make profelytes; because he thought it was criminal to disturb the established religion of his country, as lord B—— had done by the publication of his

An. 1760. his writings. He added, that the great number of sects, and the multiplication of religious disputes, had almost banished morality. With regard to the crime for which he suffered, he declared that he had no malice against Mr. Johnson; and that the murder was owing to a perturbation of mind, occasioned by a variety of crosses and vexations. When he approached the place of execution, he expressed an earnest desire to see and take leave of a certain person who waited in a coach; a person for whom he entertained the most sincere regard and affection: but the sheriff prudently observing that such an interview might shock him, at a time when he had occasion for all his fortitude and recollection, he acquiesced in the justness of the remark, and delivered to him a pocket-book, a ring, and a purse, desiring they might be given to that person, whom he now declined seeing. On his arrival at Tyburn, he came out of the landau, and ascended the scaffold with a firm step and undaunted countenance. He refused to join the chaplain in his devotions; but, kneeling with him on black cushions, he repeated the Lord's Prayer, which he said he had always admired; and added, with great energy, "O Lord, forgive me all my errors, pardon all my sins." After this exercise, he presented his watch to Mr. sheriff Vaillant, thanked him and the other gentleman for all their civilities; and signified his desire of being buried at Breden, or Stanton, in Leicestershire. Finally, he gratified the executioner with a purse of money; then the halter being adjusted to his neck, he stepped upon a little stage, erected upon springs, on the middle

middle of the scaffold; and, the cap being pulled over his eyes, the sheriff made a signal, at which the stage fell from under his feet, and he was left suspended. His body, having hung an hour and five minutes, was cut down, placed in the hearse, and conveyed to the public theatre for dissection, where being opened, and lying for some days as the subject of a public lecture, at length it was carried off, and privately interred.

Without all doubt, this unhappy nobleman's disposition was so dangerously mischievous, that it became necessary, for the good of society, either to confine him for life, as an incorrigible lunatic, or give him up at once as a sacrifice to justice. Perhaps it might be no absurd nor unreasonable regulation in the legislature, to divest all lunatics of the privilege of insanity, and, in cases of enormity, subject them to the common penalties of the law; for though, in the eye of casuistry, consciousness must enter into the constitution of guilt, the consequences of murder, committed by a maniac, may be as pernicious to society as those of the most criminal and deliberate assassination: and the punishment of death can be hardly deemed unjust, or rigorous, when inflicted upon a mischievous being, divested of all the perceptions of reason and humanity. At any rate, as the nobility of England are raised by many illustrious distinctions above the level of plebeians, and as they are eminently distinguished from them in suffering punishment for high treason, which the law considers as the most atrocious crime that can be committed, it might not be unworthy of the notice of the legislature to deli-

An. 1760. deliberate whether some such pre-eminence ought not to be extended to noblemen convicted of other crimes; in order to alleviate as much as possible the disgrace of noble families which have deserved well of their country; to avoid any circumstances that may tend to diminish the lustre of the English nobility in the eyes of foreign nations; or to bring it in contempt with the common people of our own, already too licentious, and prone to abolish those distinctions, which serve as the basis of decorum, order, and subordination.

Assassination by one Stirn, a Hessian.

Homicide is the reproach of England: one would imagine there is something in the climate of this country, that not only disposes the natives to this inhuman outrage, but even infects foreigners who reside among them. Certain it is, high passions will break out into the most enormous violences, in that country where they are least controuled by the restraint of regulation and discipline; and it is equally certain, that in no civilized country under the sun, there is such a relaxation of discipline, either religious or civil, as in England. The month of August produced a remarkable instance of desperate revenge, perpetrated by one Stirn, a native of Hesse-Cassel, inflamed and exasperated by a false punctilio of honour. This unhappy young man was descended of a good family, and possessed many accomplishments both of mind and person: but his character was distinguished by such a jealous sensibility, as rendered him unhappy in himself, and disagreeable to his acquaintance. After having, for some years performed the office of usher in a boarding-school, he

he was admitted to the house of one Mr. Matthews, a surgeon, in order to teach him the classics, and instruct his children in music, which he perfectly understood. He had not long resided in this family, when the surgeon took umbrage at some part of his conduct, taxed him roughly with fraud and ingratitude, and insisted upon his removing to another lodging. Whether he rejected this intimation, or found difficulty in procuring another apartment, the surgeon resolved to expel him by violence, called in the assistance of a peace-officer, and turned him out into the street in the night, after having loaded him with the most provoking reproaches. These injuries and disgraces operating upon a mind jealous by nature, and galled by adversity, produced a kind of phrenzy of resentment; and he took the desperate resolution of sacrificing Matthews to his revenge. Next day, having provided a case of pistols, and charged them for the occasion, he reinforced his rage by drinking an unusual quantity of wine, and repaired in the evening to a public house which Mr. Matthews frequented, in the neighbourhood of Hatton-Garden. There he accordingly found the unhappy victim sitting with some of his friends; and the surgeon, instead of palliating his former conduct, began to insult him afresh with the most opprobrious invectives. Stirr'd, exasperated by this additional indignity, pulled his pistols from his bosom, shot the surgeon, who immediately expired, and discharged the other at his own breast, though his confusion was such that it did not take effect. He was apprehended on the spot, and conveyed to

An. 1760. prison, where, for some days, he refused all kind of sustenance, but afterwards became more composed. At his trial he pleaded insanity of mind; but being found guilty, he resolved to anticipate the execution of the sentence. That same evening he drank poison; and notwithstanding all the remedies that could be administered, died in strong convulsions. His body was publicly dissected, according to the sentence of the law, and afterwards interred with those marks of indignity which are reserved for the perpetrators of suicide.

A lady
murdered
by her
coach-
man.

The same period was distinguished by another assassination equally shocking, and much more deliberate. The coachman of one Dr. Clark at High-Wycomb in Buckinghamshire, passing with the carriage through a solitary lane, suddenly stopped and alighted; then violently pulled the doctor's lady out of the coach, and with a sharp knife stabbed her in several parts of the body, so that she languished three days, and then expired in great agony. That the murder was preconceived, appeared from his having provided a loaded pistol, which he discharged at his pursuers; but missing his aim, he was seized and brought to condign punishment. What rendered this desperate action the more extraordinary and unaccountable, was the character of the assassin, who had always behaved remarkably well in his station, and had not the least cause of complaint against his mistress: circumstances which seem to imply that the murder was the result of a disordered imagination. We might swell the register of annual murders with
other

other instances that shock humanity; but we turn our eyes with horror, from these private scenes of blood, which history would never deign to record, except in hope of stimulating the public to some effectual expedients of prevention.

We shall close the domestic occurrences of this year with an account of two incidents, which tho' of a very different nature in respect of each other, nevertheless concurred in demonstrating, that the internal wealth and vigour of the nation were neither drained nor diminished by the enormous expence and inconveniencies of the war. The committee appointed to manage the undertaking for a new bridge over the river Thames at Black-friars, having received and examined a variety of plans, presented by different artists, at length gave the preference to the design of one Mr. Mylne, a young architect, a native of North-Britain, just returned from the prosecution of his studies at Rome, where he had gained the prize in the Capitol, which the academy of that city bestows on him who produces the most beautiful and useful plan on a given subject of architecture. This young man being at London, in his return to his own country, was advised to declare himself a candidate for the superintendency of the new bridge; and the plan which he presented was approved and adopted. The place being already ascertained, the lord mayor of London, attended by the committee, and a great concourse of people, repaired to Black-friars, and laid the first stone of the bridge, placing upon it a plate with an inscription, which does more honour to the public spirit of the undertakers,

A plan
accepted
for a new
bridge at
Black-
friars.

An. 1760. dertakers, than to the classical taste of the author*.

Conflagration
at Portf-
mouth.

The other instance that denoted the wealth and spirit of the nation, was the indifference and unconcern with which they bore the loss of a vast magazine of naval stores, belonging to the dock-yard at Portsmouth, which, in the month of July, was set on fire by lightning, and consisting of combustibles, burned with such fury, notwithstanding all the endeavours of the workmen in the yard, the sailors in the harbour, and the troops in the town, that before a stop was put to the conflagration, it had consumed a variety of stores to

* Ultimo die Octobris, anno ab incarnatione
MDCCLX.

Auspicatissimo principe Georgio tertio
Regnum jam ineunte,
Pontis hujus, in reipublicæ commodum.

Urbisque majestatem
(Latè tum flagrante bello)

A S. P. Q. L. suscepti

Primum lapidem posuit

Thomas Chitty, miles,

Prætor,

Roberto Mylne, architecto.

Utque apud posteros extet monumentum.

Voluntatis suæ erga virum

Qui vigore ingenii, animi constantiâ

Probitatis et virtutis suæ, felici quâdam contagione,

(Favente Deo)

Faustisq; Georgii secundi auspiciis!

Imperium Britannicum

In Asia, Africa, et Americâ,

Restituit, auxit et stabilivit,

Necnon patriæ antiquum honorem et auctoritatem

Inter Europæ gentes instauravit

Cives Londinenses uno consensu

Huic ponti inscribi voluerunt nomini

Gulielmi Pitt.

an immense value. The damage, however, was so immediately repaired, that it had no sort of effect in disconcerting any plan, or even in retarding any naval preparation.

How important these preparations must have been, may be judged from the prodigious increase of the navy, which, at this juncture, amounted to one hundred and twenty ships of the line, besides frigates, fireships, sloops, bombs, and tenders. Of these capital ships seventeen were stationed in the East Indies, twenty for the defence of the West Indian islands, twelve in North America, ten in the Mediterranean, and sixty-one, either on the coast of France, in the harbours of England, or cruising in the English seas for the protection of the British commerce. Notwithstanding these numerous and powerful armaments, the enemy, who had not a ship of the line at sea, were so alert with their small privateers and armed vessels, that, in the beginning of this year, from the first of March to the tenth of June, they had made prize of two hundred vessels belonging to Great Britain and Ireland. The whole number of British ships taken by them, from the first day of June, in the year one thousand seven hundred and fifty-six, to the first of June in the present year, amounted to two thousand five hundred and thirty-nine; of these seventy-eight were privateers, three hundred and twenty-one were retaken, and about the same number ransomed. In the same space of time, the British cruisers had made captures of nine hundred forty-four vessels, including two hundred forty-two privateers, many fishing-boats and small coasters, the value of which hardly defrayed the expence of

Number
of ships
taken by
the ene-
my.

An. 1760. condemnation. That such a small proportion of ships should be taken from the enemy, is not at all surprising, when we consider the terrible shocks their commerce had previously received, and the great number of their mariners imprisoned in England: but the prodigious number of British vessels, taken by their petty coasting privateers, in the face of such mighty armaments, numerous cruisers and convoys, seems to argue, that either the English ships of war were inactive or improperly disposed, or that the merchants hazarded their ships without convoy. Certain it is, in the course of this year we find fewer prizes taken from the enemy, and fewer exploits atchieved at sea, than we had occasion to record in the annals of the past.

Progress
of Thu-
rot,

Not that the present year is altogether barren of events, which redound to the honour of our marine commanders. We have, in recounting the transactions of the preceding year, mentioned a small armament equipped at Dunkirk, under the command of Mr. de Thurot, who, in spite of all the vigilance of the British commander stationed in the Downs, found means to escape from the harbour in the month of October last, and arrived at Gottenburgh in Sweden, from whence he proceeded to Bergen in Norway. His instructions were to make occasional descents upon the coast of Ireland, and, by dividing the troops, and distracting the attention of the government in that kingdom, to facilitate the enterprize of Mr. de Conflans, the fate of which we have already narrated. The original armament of Thurot consisted of five ships, one of which, called the *Mareschal de Belleisle*, was mounted with forty four guns; the *Begon*, the
Blond,

An. 1760.

Blond, the Terpsichore, had thirty guns each, and the Marante carried twenty-four. The number of soldiers put on board this little fleet, did not exceed one thousand two hundred and seventy, exclusive of mariners to the number of seven hundred; but two hundred of the troops were sent sick on shore, before the armament sailed from Dunkirk: and in their voyage between Gottenburgh and Bergen they lost company of the Begon, during a violent storm. The severity of the weather detained them nineteen days at Bergen, at the expiration of which they set sail for the western islands of Scotland, and discovered the northern part of Ireland in the latter end of January. The intention of Thurot was to make a descent about Derry; but before this design could be executed, the weather growing tempestuous, and the wind blowing off shore, they were driven out to sea, and, in the night, lost sight of the Marante, which never joined them in the sequel. After having been tempest-beaten for some time, and exposed to a very scanty allowance of provision, the officers requested of Thurot, that he would return to France, lest they should all perish by famine; but he lent a deaf ear to this proposal, and frankly told them he could not return to France, without having struck some stroke for the service of his country. Nevertheless, in hope of meeting with some refreshment, he steered to the island of Illa, where the troops were landed, and here they found black cattle, and a small supply of oatmeal, for which they payed a reasonable price; and it must be owned, Thurot himself behaved with great moderation and generosity.

An. 1769.

Makes a
descent at
Carrick-
fergus.

While this spirited adventurer struggled with these wants and difficulties, his arrival in those seas filled the whole kingdom with alarm. Bodies of regular troops and militia were posted along the coasts of Ireland and Scotland; and besides the squadron of commodore Boys, who sailed to the northward on purpose to pursue the enemy, other ships of war were ordered to scour the Bristol channel, and cruize between Scotland and Ireland. The weather no sooner permitted Thurot to pursue his destination, than he sailed from Isla to the bay of Carrickfergus in Ireland, and made all the necessary preparations for a descent; which was accordingly effected, with six hundred men, on the twenty-first day of February. Lieutenant-colonel Jennings, who commanded four companies of raw undisciplined men at Carrickfergus, having received information that three ships had anchored about two miles and a half from the castle, which was ruinous and defenceless, immediately detached a party to make observations, and ordered the French prisoners there confined to be removed to Belfast. Mean while, the enemy landing without opposition, advanced towards the town, which they found as well guarded as the nature of the place, which was intirely open, and the circumstances of the English commander, would allow. A regular attack was carried on, and a spirited defence* made,

* One circumstance that attended this dispute, deserves to be transmitted to posterity, as an instance of that courage, mingled with humanity, which constitutes true heroism. While the French and English were hotly engaged in one of the streets, a little child ran playfully between them, having no idea of the danger to which it was exposed:

made, until the ammunition of the English failed: then colonel Jennings retired in order to the castle, which however was in all respects untenable; for, besides a breach in the wall near fifty feet wide, they found themselves destitute of provision and ammunition. Nevertheless, they repulsed the assailants in their first attack, even after the gate was burst open, and supplied the want of shot with stones and rubbish. At length, the colonel and his troops were obliged to surrender, on condition that they should not be sent prisoners to France, but be ransomed by sending thither an equal number of French prisoners from Great Britain or Ireland; that the castle should not be demolished, nor the town of Carrickfergus plundered or burned, on condition that the mayor and corporation should furnish the French troops with necessary provisions. The enemy, after this exploit, did not presume to advance farther into the country; a step which indeed they could not have taken, with any regard to their own safety: for by this time a considerable body of regular troops was assembled; and the people of the country manifested a laudable spirit of loyalty and resolution, crowding in great numbers to Belfast, to offer their service against the invaders. These circumstances, to which the enemy were no strangers, and the defeat of Confians, which they had also learned, obliged

Ann. 1760.

posed: a common soldier of the enemy, perceiving the life of this poor innocent at stake, grounded his piece, advanced deliberately between the lines of fire, took up the

child in his arms, conveyed it to a place of safety; then returning to his place, resumed his musket, and renewed his hostility.

them

An. 1760.

He him-
self is
slain, and
his ships
are ta-
ken.

them to quit their conquest, and reembark with some precipitation, after having laid Carrickfergus under moderate contribution.

The fate they escaped on shore, they soon met with at sea. Captain John Elliot, who commanded three frigates at Kinsale, and had in the course of this war more than once already distinguished himself, even in his early youth, by extraordinary acts of valour, was informed by a dispatch from the duke of Bedford, lord-lieutenant of Ireland, that three of the enemy's ships lay at anchor in the bay of Carrickfergus, and thither he immediately shaped his course in the ship *Æolus*, accompanied by the *Pallas* and *Brilliant*, under the command of the captains Clements and Logie. On the twenty-eighth day of February they descried the enemy, and gave chase in sight of the Isle of Man; and about nine in the morning captain Elliot, in his own ship, engaged the *Belleisle*, commanded by Thurot, altho' considerably his superior in strength of men, number of guns, and weight of metal. In a few minutes his consorts were also engaged with the other two ships of the enemy. After a warm action maintained with great spirit on all sides for an hour and a half, captain Elliot's lieutenant boarded the *Belleisle*, and, striking her colours with his own hand, the commander submitted: his example was immediately followed by the other French captains, and the English commodore, taking possession of his prizes, conveyed them into the bay of Ramsay in the Isle of Man, that their damage might be repaired. Though the *Belleisle* was very leaky, and had lost her bowsprit, mizen-mast, and main-yard, in all probability the victory

would

would not have been so easily obtained, had not the gallant Thurot fallen during the action. The victor had not even the consolation to perform the last offices to his brave enemy; for his body was thrown into the sea by his own people in the hurry of the engagement. The loss on the side of the English did not exceed forty men killed and wounded; whereas above three hundred of the enemy were slain or disabled. The service performed on this occasion was deemed so essential to the peace and commerce of Ireland, that the thanks of the house of commons in that kingdom were voted to the conquerors of Thurot, as well as to lieutenant-colonel Jennings for his spirited behaviour at Carrickfergus; and the freedom of the city of Cork was presented in silver boxes to the captains Elliot, Clements, and Logie. The name of Thurot was become terrible to all the trading sea-ports of Britain and Ireland; and therefore the defeat and capture of his Squadron were celebrated with as hearty rejoicings, as the most important victory could have produced.

In the beginning of April another engagement between four frigates, still more equally matched, had a different issue, though not less honourable for the British commanders. Captain Skinner of the Biddeford, and captain Kennedy of the Flamorough, both frigates, sailed on a cruize from Lisbon; and on the fourth day of April fell in with two large French frigates, convoy to a fleet of merchant-ships, which the English captains immediately resolved to engage. The enemy did not decline the battle, which began about half an hour after

Exploit
of capt.
Kennedy.

An. 1760. after six in the evening, and raged with great fury till eleven. By this time the Flamborough had lost sight of the Biddeford, and the frigate with which captain Kennedy was engaged bore away with all the sail she could carry. He pursued her till noon the next day, when she had left him so far astern, that he lost sight of her, and returned to Lisbon, with the loss of fifteen men killed and wounded, including the lieutenant of marines, and considerable damage both in her hull and rigging. In three days he was joined by the Biddeford, which had also compelled her antagonist to give way, and pursued her till she was out of sight. In about an hour after the action began, captain Skinner was killed by a cannon ball; and the command devolved to lieutenant Knollis, son to the earl of Banbury *, who maintained the battle with great spirit, even after he was wounded, until he received a second shot in his body, which proved mortal. Then the master assuming the direction, continued the engagement with equal resolution, until the enemy made his escape, which he the more easily accomplished as the Biddeford was disabled in her masts and rigging.

A remarkable
adventure
of five
Irish ma-
riners.

The bravery of five Irishmen and a boy belonging to the crew of a ship from Waterford, deserves commemoration. The vessel, in her return from Bilboa, loaded with brandy and iron, being taken

* Five sons of this nobleman have been remarkably distinguished in the present war. The fourth and fifth were dangerously wounded at the battle of Minden; the

second was hurt in the reduction of Guadalupe: lord Wallingford, the eldest, received a shot at Carrickfergus; and the third was slain in this engagement.

by

by a French privateer off Ushant, about the middle of April, the captors removed the master and all the hands but these five men and the boy, who were left to assist nine Frenchmen in navigating the vessel to France. These stout Hibernians immediately formed a plan of insurrection, and executed it with success. Four of the French mariners being below deck, three aloft among the rigging, one at the helm, and another walking the deck, Brian, who headed the enterprize, tripped up the heels of the French steersman, seized his pistol, and discharged it at him who walked the deck, but missing the mark, he knocked him down with the butt end of the piece. At the same time hollowing to his confederates below, they assailed the enemy with their own broad swords; and soon compelling them to submit, came upon deck, and shut the hatches. Brian being now in possession of the quarter deck, those who were aloft called for quarter, and surrendered without opposition. The Irish having thus obtained a complete victory, almost without bloodshed, and secured the prisoners, another difficulty occurred: neither Brian nor any of his associates could read or write, or knew the least principle of navigation; but, supposing his course to be north, he steered at a venture, and the first land he made was the neighbourhood of Youghall, where he happily arrived with his prisoners.

The only considerable damage sustained by the navy of Great Britain, since the commencement of this year, was the loss of the *Ramillies*, a magnificent ship of the second rate, belonging to the squadron which admiral Boscawen commanded on the

The ship
wrecked
upon the
Bolt-head

Apr. 1760. the coast of France, in order to watch the motions and distress the commerce of that restless enterprising enemy. In the beginning of February a series of stormy weather obliged the admiral to return from the bay of Quiberon to Plymouth, where he arrived with much difficulty; but the *Ramillies* overshot the entrance to the Sound, and being embayed near a point called the Bolt-head, about four leagues higher up the channel, was dashed in pieces among the rocks, after all her anchors and cables had given way. All her officers and men, amounting to seven hundred, perished on this occasion, except one midshipman and twenty-five mariners, who had the good fortune to save themselves by leaping on the rocks, as the hull was thrown forwards, and raised up by the succeeding billows.

Such were the most material transactions of the year, relating to the British empire in the seas of Europe.

Treaty
with the
Chero-
kees.

We shall now transport the reader to the continent of North America, which, as the theatre of war, still maintained its former importance. The French emissaries from the province of Louisiana had exercised their arts of insinuation with such success among the Cherokees, a numerous and powerful nation of Indians, settled on the confines of Virginia and Carolina, that they had infringed the peace with the English towards the latter end of the last year, and begun hostilities by plundering, massacring, and scalping several British subjects of the more southern provinces. Mr. Lyttelton, governor of South Carolina, having received

informa-

information of these outrages, obtained the necessary aids from the assembly of his province, for maintaining a considerable body of forces, which was raised with great expedition. He marched in the beginning of October at the head of eight hundred provincials, reinforced with three hundred regular troops, and penetrated into the heart of the country possessed by the Cherokees, who were so much intimidated by his vigour and dispatch, that they sent a deputation of their chiefs to sue for peace, which was re-established by a new treaty, dictated by the English governor. They obliged themselves to renounce the French interest; to deliver up all the spies and emissaries of that nation, then resident among them; to surrender to justice those of their own people, who had been concerned in murdering and scalping the British subjects; and for the performance of these articles two and twenty of their head-men were put as hostages into the hands of the governor *.

So

* *Treaty of Peace and Friendship concluded by his Excellency William-Henry Lyttelton, Esq; Captain General, and Governor in Chief of His Majesty's Provinces of South-Carolina, with Attakulla-kulla, or, The Little Carpenter, Deputy of the whole Cherokee Nation, and other Headmen and Warriors thereof, at Fort Prince George, Dec. 26, 1759.*

"Art. I. There shall be a firm peace and friendship between all his majesty's subjects

of this province, and the nation of Indians called the Cherokees, and the said Cherokees shall preserve peace with all his majesty's subjects whatsoever.

Art. II. The articles of friendship and commerce, concluded by the lords commissioners for trade and plantations with the deputies of the Cherokees, by his majesty's command, at Whitehall, the 7th of September, 1730, shall be strictly observed for the time to come.

Art.

HISTORY of ENGLAND.

So little regard, however, was payed by these savages to this solemn accommodation, that Mr. Lyt-

Art. III. Whereas the Cherokee Indians have, at sundry times and places, since the 19th of November, 1758, slain divers of his majesty's good subjects of this province, and his excellency the governor having demanded that satisfaction should be given for the same, according to the tenor of the said articles of friendship and commerce afore-mentioned, in consequence whereof two Cherokee Indians, of the number of those who have been guilty of perpetrating the said murders, have already been delivered up, to be put to death, or otherwise disposed of, as his excellency the governor shall direct, it is hereby stipulated and agreed, that 22 other Cherokee Indians, guilty of the said murders, shall, as soon as possible, after the conclusion of this present treaty, in like manner be delivered up to such persons as his excellency the governor, or the commander in chief of this province for the time being, shall appoint to receive them, to be put to death, or otherwise disposed of, as the said governor and commander in chief shall direct.

Art. IV. The Cherokee In-

dians, whose names are herein after mentioned, viz. Chenohe, Oufanatah, Tallichama, Tallitahe, Quarrafattahe, Connasoratah, Kataetoi, Otaffite of Watogo, Oufanoletah of Jore, Cataeletah of Cowetche, Chiquatalone, Skiausta of Sticoe, Tannaeste, Wohatche, Wyeyah, Oucah, Chistanah, Nicholehe, Tony, Totaiah-hoi, Shallilfoke, Chistie, shall remain as hostages for the due performance of the foregoing articles, in the custody of such persons as his excellency the governor shall please to nominate for that purpose; and when any of the Cherokee Indians, guilty of the said murders, shall have been delivered up, as is expressed in the said articles, an equal number of said hostages shall forthwith be set at liberty.

Art. V. Immediately after the conclusion of this present treaty, the licensed traders from this government, and all persons employed by them, shall have leave from his excellency the governor to return to their respective places of abode in the Cherokee nation, and to carry on their trade with the Cherokee Indians, in the usual manner, according to law.

Art.

Lyttelton had been returned but a few days from their country, when they attempted to surprize the English fort Prince George near the frontiers of Carolina, by going thither in a body, on pretence of

An. 1760.

Hostilities recommended.

Art. VI. During the continuance of the present war between his most sacred majesty and the French king, if any Frenchman shall presume to come into the Cherokee nation, the Cherokees shall use their utmost endeavours to put him to death, as one of his majesty's enemies; or, if taken alive, they shall deliver him up to his excellency the governor, or the commander in chief of this province for the time being, to be disposed of as he shall direct; and if any person whatsoever, either white man or Indian, shall at any time bring any messages from the French into the Cherokee nation, or hold any discourses there in favour of the French, or tending to set the English and Cherokees at variance, and interrupt the peace and friendship established by this present treaty, the Cherokees shall use their utmost endeavours to apprehend such person or persons, and detain him or them until they shall have given notice thereof to his excellency the governor, or to the commander in chief for the time being, and have

received his directions therein.

Given under my hand and seal at Fort Prince George, in the province of South Carolina, this 26th day of December, 1759, in the 33d year of his majesty's reign.

William Henry Lyttelton. (L. S.)

By his excellency's command,

William Drayton, Sec.

We whose names are under-written, do agree to all and every of these articles, and do engage, for ourselves and our nation, that the same shall be well and faithfully performed. In testimony whereof we have hereunto set our hands and seals the day and year above-mentioned.

Attakullakulla (L. S.)

Ouconnosata (L. S.)

Otassite (L. S.)

Kitagusta (L. S.)

Oconneca (L. S.)

Killeannahca (L. S.)

Joseph Axson, } Sworn in-
William Forster, } terpreters.
Witness

Henry Hyrne,

Adjutant-General."

Numb. 29.

D d

deli-

delivering up some murderers : but the commanding officer, perceiving some suspicious circumstances in their behaviour, acted with such vigilance and circumspection as intirely frustrated their design*.

Thus

* This attempt was conducted in the following manner, having doubtless been concerted with the two and twenty hostages, who resided in the fort. On the sixteenth day of February, two Indian women appearing at Keowee, on the other side of the river, Mr. Dogharty, one of the officers of the fort, went out to ask them what news. While he was engaged in conversation with these females, the great Indian warrior Ouconnostata joining them, desired he would call the commanding officer, to whom he said he had something to propose. Accordingly lieutenant Cotymore appearing, accompanied by ensign Bell, Dogharty, and Forster the interpreter, Ouconnostata told him he had something of consequence to impart to the governor, whom he purposed to visit, and desired he might be attended by a white man, as a safeguard. The lieutenant assuring him he should have a safeguard, the Indian declared he would then go and catch a horse for him ; so saying, he swung a bridle thrice over his

head, as a signal, and immediately twenty-five or thirty muskets, from different ambuscades, were discharged at the English officers. Mr. Cotymore received a shot in his left breast, and in a few days expired ; Mr. Bell was wounded in the calf of the leg, and the interpreter in the buttock. Ensign Milne, who remained in the fort, was no sooner informed of this treachery, than he ordered the soldiers to shackle the hostages ; in the execution of which order one man was killed upon the spot, and another wounded in the forehead with a tomohawk : circumstances which, added to the murder of the lieutenant, incensed the garrison to such a degree, that it was judged absolutely necessary to put the hostages to death without further hesitation. In the evening a party of Indians approaching the fort, and firing two signal pieces, cried aloud in the Cherokee language, " Fight manfully ; and you shall be assisted." Then they began an attack, and continued firing all night upon

Thus disappointed, they wreaked their vengeance upon the English subjects trading in their country, all of whom they butchered without mercy. Not contented with this barbarous sacrifice, they made incursions to the British settlements at the Long Lanes, and the forks of the Broad River; and massacred about forty defenceless colonists, who reposed themselves in full security on the peace so lately ratified. As views of interest could not have induced them to act in this manner, and their revenge had not been inflamed by any fresh provocation, these violences must be imputed to the instigation of French incendiaries; and too plainly evince the necessity of crowning our American con-

upon the fort, without doing the least execution. That a design was concerted between them and the hostages, appeared plainly from the nature of this assault; and this supposition was converted into a certainty next day, when some of the garrison searching the apartment in which the hostages lay, found a bottle of poison, probably designed to be emptied into the well, and several tomohawks buried in the earth; which weapons had been privately conveyed to them by their friends, who were permitted to visit them without interruption. On the third day of March, the fort at Ninety-Six was attacked by two hundred Cherokee Indians, with

musquetry, which had little or no effect, so that they were forced to retire with some loss, and revenged themselves on the open country, burning and ravaging all the houses and plantations belonging to English settlers in this part of the country, and all along the frontiers of Virginia. Not contented with pillaging and destroying the habitations, they wantoned in the most horrible barbarities; and their motions were so secret and sudden, that it was impossible for the inhabitants to know where the storm would burst, or take proper precautions for their own defence, so that a great number of the back settlements were totally abandoned.

An. 1760. quests with the reduction of Louisiana, from whence these emissaries were undoubtedly dispatched.

Their towns and villages destroyed by colonel Montgomery.

The cruelty and mischief with which the Cherokees prosecuted their renewed hostilities, alarmed all the southern colonies of the English; and application was made for assistance to Mr. Amherst, the commander in chief of the king's forces in America. He forthwith detached twelve hundred chosen men to South Carolina, under the command of colonel Montgomery, brother to the earl of Eglinton, an officer of approved conduct, and distinguished gallantry. Immediately after his arrival at Charles-Town, he advanced to Ninety six, and proceeded to Twelve-Mile river, which he passed in the beginning of June, without opposition. He continued his route, by forced marches, until he arrived in the neighbourhood of the Indian town called Little Keowee, where he encamped in an advantageous situation. Having reason to believe the enemy were not yet apprized of his coming, he resolved to rush upon them in the night by surprize. With this view, leaving his tents standing, with a sufficient guard for the camp and waggons, he marched through the woods towards the Cherokee town of Estatoe, at the distance of five and twenty miles; and in his route detached a company of light infantry to destroy the village of Little Keowee, where they were received with a smart fire; but they rushed in with their bayonets, and all the men were put to the sword. The main body proceeded straight to Estatoe, which they reached in the morning; but it had been abandoned about half an hour before their

their arrival. Some few of the Indians, who had not time to escape, were slain; and the town, consisting of two hundred houses, well stored with provision, ammunition, and all the necessaries of life, was first plundered, and then reduced to ashes; some of the wretched inhabitants, who concealed themselves, perishing in the flames. It was necessary to strike a terror into those savages by some examples of severity; and the soldiers became deaf to all the suggestions of mercy, when they found in one of the Indian towns the body of an Englishman, whom they had put to the torture that very morning. Colonel Montgomery followed his blow with surprising rapidity. In the space of a few hours he destroyed Sugar-town, which was as large as Estatoe, and every village and house in the lower nation. The Indian villages in this part of the world were agreeably situated, generally consisting of about one hundred houses, neatly and commodiously built, and well supplied with provision. They had in particular large magazines of corn, which were consumed in the flames. All the men that were taken suffered immediate death; but the greater part of the nation had escaped with the utmost precipitation. In many houses the beds were yet warm, and the tables spread with victuals. Many loaded guns went off while the houses were burning. The savages had not time to save their most valuable effects. The soldiers found some money, three or four watches, a good quantity of wampum, cloaths, and peltry. Colonel Montgomery, having thus taken vengeance on the perfidious Cherokees, at the expence of five or six men

An. 1760. killed or wounded, returned to Fort Prince George, with about forty Indian women and children whom he had made prisoners. Two of their warriors were set at liberty, and desired to inform their nation, that, though they were now in the power of the English, they might still, on their submission, enjoy the blessing of peace. As the chief called Attakullakulla, alias the Little Carpenter, who had signed the last treaty, disapproved of the proceedings of his countrymen, and had done many good offices to the English since the renovation of the war, he was now given to understand, that he might come down with some other chiefs to treat of an accommodation, which would be granted to the Cherokees on his account; but that the negociation must be begun in a few days, otherwise all the towns in the upper nation would be ravaged and reduced to ashes.

His expedition to the middle settlements.

These intimations having produced little or no effect, colonel Montgomery resolved to make a second irruption into the middle settlements of the Cherokees, and began his march on the twenty-fourth day of June. On the twenty-seventh captain Morison, of the advanced party, was killed by a shot from a thicket, and the firing became so troublesome that his men gave way. The grenadiers and light infantry being detached to sustain them, continued to advance, notwithstanding the fire from the woods, until, from a rising ground, they discovered a body of the enemy. These they immediately attacked, and obliged to retire into a swamp, which, when the rest of the troops came up, they were, after a short resistance, compelled to abandon; but as the country was difficult, and
the

the path extremely narrow, the forces suffered on their march from the fire of scattered parties, who concealed themselves behind trees and bushes. At length they arrived at the town of Etchowee, which the inhabitants had forsaken, after having removed every thing of value. Here, while the army encamped on a small plain surrounded by hills, it was incommoded by vollies from the enemy, which wounded some men, and killed several horses. They were even so daring as to attack the piquet-guard, which repulsed them with difficulty; but generally speaking, their parties declined an open engagement. Colonel Montgomery, sensible that as many horses were killed or disabled, he could not proceed farther without leaving his provisions behind, or abandoning the wounded men to the brutal revenge of a savage enemy, resolved to return, and began his retreat in the night, that he might be the less disturbed by the Indians. Accordingly he pursued his route for two days without interruption; but afterwards sustained some straggling fires from the woods, though the parties of the enemy were put to flight as often as they appeared. In the beginning of July he arrived at Fort Prince George; this expedition having cost him about seventy men killed and wounded, including five officers.

In revenge for these calamities, the Cherokees assembled to a considerable number, and formed the blockade of Fort Loudoun, a small fortification near the confines of Virginia, defended by an inconsiderable garrison, ill supplied with provision and necessaries. After having sustained a long

Fate of
the garrison at
Fort
Loudoun.

An. 1760. siege, and being reduced to the utmost distress, captain Demere, the commander, held a council of war with the other officers, to deliberate upon their present situation; when it appeared that their provisions were entirely exhausted; that they had subsisted a considerable time, without bread, upon horse-flesh, and such supplies of pork and beans as the Indian women could introduce by stealth; that the men were so weakened with famine and fatigue, that in a little time they would not be able to do duty; that for two nights past, considerable parties had deserted, and some thrown themselves upon the mercy of the enemy; that the garrison in general threatened to abandon their officers, and betake themselves to the woods; and that there was no prospect of relief, their communication having been long cut off from all the British settlements: for these reasons they were unanimously of opinion, that it was impracticable to prolong their defence; that they should accept of an honourable capitulation; and captain Stuart should be sent to treat with the warriors, and the head men of the Cherokees, about the conditions of their surrender. This officer, being accordingly dispatched with full powers, obtained a capitulation * of the Indians, by which the garrison was permitted to retire,

* *Articles of Capitulation agreed upon and assented to by Captain Paul Demere, commanding his Majesty's Forces at Fort Loudoun, and the Headmen and Warriors of the Overhill Cherokee Towns.*

“Art. I. That the garri-

son of Fort Loudoun march out with their arms and drums, each soldier having as much powder and ball as their officer shall think necessary for the march, and what baggage he may chuse to carry.

retire. The Indians desired, that, when they arrived at Keowee, the Cherokee prisoners confined at that place should be released, all hostilities cease, a lasting accommodation be re-established, and a regulated trade revived. In consequence of this treaty the garrison evacuated the fort, and had marched about fifteen miles on their return to Carolina, when they were surrounded and surprised by a large body of Indians, who massacred all the officers, except captain Stuart, and slew five and twenty of the soldiers: the rest were made prisoners, and distributed among the different towns and villages of the nation. Captain Stuart owed his life to the generous intercession of the Little Carpenter, who ransomed him at the price of all he could command, and conducted him safe to Holston River, where he found major Lewis advanced so far with a body of Virginians.

The savages, encouraged by their success at Fort Loudoun, undertook the siege of Ninety-six, and

II. That the garrison be permitted to march for Virginia, or Fort Prince George, as the commanding officer shall think proper, unmolested; and that a number of Indians be appointed to escort them, and to hunt for provisions on the march.

III. That such soldiers as are lame, or by sickness disabled from marching, be received into the Indian towns, and kindly used until they recover, and then to be returned to Fort Prince George.

IV. That the Indians do provide the garrison with as many horses as they can conveniently for their march, agreeing with the soldiers or officers for payment,

V. That the fort, great guns, powder, ball, and spare arms, be delivered to the Indians, without any fraud, on the day appointed for the march of the troops.

Signed

Ouconnostata * his mark.
Paul Demere.

Cunigacatogae * his mark.
other

An. 1760.

British in-
terest
establi-
ed on the
Ohio.

other small fortifications; but retired precipitately at the approach of a body of provincials.

In the mean time the British interest and empire were firmly established on the banks of the Ohio, by the prudence and conduct of major-general Stanwix, who had passed the winter at Pittsburgh, formerly Duquesne, and employed that time in the most effectual manner for the service of his country. He repaired the old works, established posts of communication from the Ohio to the Monongahela, mounted the bastions that cover the isthmus with artillery, erected casemates, store-houses, and barracks for a numerous garrison, and cultivated with equal diligence and success the friendship and alliance of the Indians. The happy consequences of these measures were soon apparent in the production of a considerable trade between the natives and the merchants of Pittsburgh, and in the perfect security of about four thousand settlers, who now returned to the quiet possession of the lands, from whence they had been driven by the enemy, on the frontiers of Pennsylvania, Maryland, and Virginia.

The
French un-
der-
take the
siege of
Quebec.

The incidents of the war were much more important and decisive in the more northern parts of this great continent. The reader will remember that brigadier-general Murray was left to command the garrison of Quebec, amounting to about six thousand men; that a strong squadron of ships was stationed at Halifax in Nova Scotia, under the direction of lord Colvil, an able and experienced officer, who had instructions to revisit Quebec in the beginning of summer, as soon as the river St.

Lau-

Laurence should be navigable; and that general Amherst, the commander in chief of the forces in America, wintered in New York, that he might be at hand to assemble his troops in the spring, and recommence his operations for the entire reduction of Canada. General Murray neglected no step that could be taken by the most vigilant officer for maintaining the important conquest of Quebec, and subduing all the Lower Canada, the inhabitants of which actually submitted, and took the oath of allegiance to the king of Great Britain *.

The

* The garrison of Quebec, during the winter, repaired above five hundred houses, which had been damaged by the English cannon, built eight redoubts of wood, raised foot-banks along the ramparts, opened embrasures, mounted artillery, blocked up all the avenues of the suburbs with a stockade, removed eleven months provisions into the highest part of the city, and formed a magazine of four thousand fascines. Two hundred men were posted at St. Foix, and twice the number at Lorette. Several hundred men marched to St. Augustin, brought off the enemy's advanced guard, with a great number of cattle, and disarmed the inhabitants. By these precautions the motions of the French were observed, the avenues of Quebec were covered, and their dominion

secured over eleven parishes, which furnished them with some fresh provision and other necessaries for subsistence. Sixteen thousand cords of wood, being wanted for the hospitals, guards, and quarters, and the method of transporting it from the isle of Orleans being found slow and difficult, on account of the floating ice in the river, a sufficient number of hand sledges were made, and two hundred wood-fellers set at work in the forest of St. Foix, where plenty of fuel was obtained, and brought into the several regiments by the men that were not upon duty. A detachment of two hundred men, being sent to the other side of the river, disarmed the inhabitants, and compelled them to take the oath of allegiance: by this step the English became masters of

AN. 1766. The garrison, however, within the walls of Quebec, suffered greatly from the excessive cold in the winter, and the want of vegetables and fresh provision,

of the southern side of the St. Laurence, and were supplied with good quantities of fresh provision. The advanced posts of the enemy were established at Point au Tremble, St. Augustin, and Le Calvaire: the main body of their army quartered between Trois Rivières and Jacques Quartier. Their general having formed the design of attacking Quebec in the winter, began to provide snow shoes, or rack ts, scaling ladders, and fascines, and make all the necessary preparations for that enterprize. He took possession of Point Levi, where he formed a magazine of provisions, great part of which, however, fell into the hands of the English; for as soon as the river was froze over, brigadier Murray dispatched thither two hundred men, at whose approach the enemy abandoned their magazine, and retreated with great precipitation. Here the detachment took post in a church, until they could build two wooden redoubts, and mount them with artillery. In the mean time, the enemy returning with a greater force to recover the post, some battalions, with the light infantry, marched over the ice, in order to cut off their communication; but they fled in great confusion, and afterwards took post at St. Michael, at a considerable distance farther down the river. They now resolved to postpone the siege of Quebec, that they might carry it on in a more regular manner. They began to rigg their ships, repair their small craft, build gallies, cast bombs and bullets, and prepare fascines and gabions; while brigadier Murray employed his men in making preparations for a vigorous defence. He sent out a detachment, who surprized the enemy's posts at St Augustin, Maison Brulee, and Le Calvaire, where they took ninety prisoners. He afterwards ordered the light infantry to possess and fortify Cape Rouge to prevent the enemy's landing at that place, as well as to be nearer at hand to observe their motions; but when the frost broke up, so that their ships could fall down the river, they landed at St. Augustin, and the English posts were abandoned one after another, the detachments retiring without loss into the city.

info-

insomuch that, before the end of April, one thousand soldiers were dead of the scurvy, and twice that number rendered unfit for service. Such was the situation of the garrison, when Mr. Murray received undoubted intelligence, that the French commander, the chevalier de Levis, was employed in assembling his army, which had been cantoned in the neighbourhood of Montreal; that from the inhabitants of the country he had compleated his eight battalions, regimented forty companies of the troops de colonie, and determined to undertake the siege of Quebec, whenever the river St. Laurence should be clear of ice, that he could use his four frigates, and other vessels, by means of which he was intirely master of the river.

The brigadier, considering the city of Quebec as no other than a strong cantonment, had projected a plan of defence, by extending lines, and intrenching his troops on the heights of Abraham, which at the distance of eight hundred paces, intirely command the ramparts of the city, and might have been defended by a small force against a formidable army. Fascines, and every other necessary for this work, had been provided, and in the month of April the men were set at work upon the projected lines; but the earth was so hardened by the frost, that it was found impracticable to proceed. Being informed, on the night of the twenty-sixth, that the enemy had landed at Point au Tremble, to the number of ten thousand men, with five hundred savages, he ordered all the bridges over the river Caprouge to be broke down; secured the landing-places at Sylleri and the Foulon; and

Brigadier
Murray
resolves
to give
them
battle.

next

An. 1760. next day, marching in person with a strong detachment and two field-pieces, took possession of an advantageous situation, and thus defeated the scheme which the French commander had laid for cutting off the posts which the English had established. These being all withdrawn, the brigadier that same afternoon marched back to Quebec, with little or no loss, altho' his rear was harrassed by the enemy. Here he formed a resolution which hath been censured by some critics in war, as a measure that favoured more of youthful impatience and overboiling courage, than of that military discretion which ought to distinguish a commander in such a delicate situation; but it is more easy to censure with an appearance of reason, than to act in such circumstances with any certainty of success. Mr. Murray, in his letter to the secretary of state, declares, that although the enemy were greatly superior to him in number, yet, when he considered that the English forces were habituated to victory, that they were provided with a fine train of field-artillery, that, in shutting them up at once within the walls, he should have risked his whole stake on the single chance of defending a wretched fortification; a chance which could not be much lessened by an action in the field, though such an action would double the chance of success; for these reasons he determined to hazard a battle: should the event prove unprosperous, he resolved to hold out the place to the last extremity; then to retreat to the isle of Orleans, or Coudres, with the remainder of the garrison, and there wait for a reinforcement.

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In pursuance of these resolutions he gave the necessary orders over night, and, on the twenty-eighth day of April, at half an hour after six in the morning, marched out with his little army of three thousand men, which he formed on the heights in order of battle. The right brigade, commanded by colonel Burton, consisted of the regiments of Amherst, Anstruther, Webb, and the second battalion of Royal Americans: the left, under colonel Fraser, was formed of the regiments of Kennedy, Lascelles, Townshend, and the Highlanders. Orway's regiment, and the third battalion of Royal Americans, constituted the corps de reserve. Major Dalling's corps of light infantry covered the right flank; the left was secured by captain Huzzen's company of rangers, and one hundred volunteers, under the command of captain Donald Macdonald; and each battalion was supplied with two field-pieces. Brigadier Murray having reconnoitred the enemy, perceived their van had taken possession of the rising grounds about three quarters of a mile in his front; but that their army was on the march in one column. Thinking this was the critical moment to attack them before they were formed, he advanced towards them with equal order and expedition. They were soon driven from the heights, though not without a warm dispute; during which, the body of their army advanced at a round pace, and formed in columns. Their van consisted of ten companies of grenadiers, two of volunteers, and four hundred savages: eight battalions, formed in four columns, with some bodies of Canadians in

the

He is
worsted,
and obli-
ged to
retreat
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town.

An. 1760. the intervals, constituted their main body; their rear was composed of two battalions and some Canadians in the flanks; and two thousand Canadians formed the reserve. Their whole army amounted to upwards of twelve thousand men. Major Dalling, with great gallantry, dispossessed their grenadiers of a house and windmill, which they occupied, in order to cover their left flank; and in this attack the major and some of his officers were wounded; nevertheless, the light infantry pursued the fugitives to a corps which was formed to sustain them; then the pursuers halted, and dispersed along the front of the right; a circumstance which prevented that wing from taking advantage of the first impression they had made on the left of the enemy. The light infantry being ordered to regain the flank, were, in attempting this motion, furiously charged, and thrown into disorder: then they retired to the rear in such a shattered condition, that they could never again be brought up during the whole action. Otway's regiment was instantly ordered to advance from the body of reserve, and sustain the right-wing, which the enemy twice in vain attempted to penetrate. Mean while the left brigade of the British forces did not remain inactive: they had dispossessed the French of two redoubts, and sustained with undaunted resolution the whole efforts of the enemy's right, until they were fairly fought down, overpowered by numbers, and reduced to an handful, notwithstanding the assistance they received from the third battalion of Royal Americans, which had been stationed with the body of reserve, as well as from Kennedy's regiment.

giment posted in the center. The French attacked with great impetuosity ; and, at length, a fresh column of the regiment de Roussillon penetrating the left wing of the British army, it gave way : the disorder was soon communicated to the right, so that, after a very obstinate dispute, which lasted an hour and three quarters, brigadier Murray was obliged to quit the field with the loss of one thousand men killed or wounded, and the greater part of his artillery. The enemy lost twice the number of men, and reaped no essential advantage from their victory.

Mr. Murray, far from being dispirited by his defeat, no sooner retired within the walls of Quebec, than he resolved to prosecute the fortifications of the place, which had been interrupted by the severity of the winter ; and the soldiers exerted themselves with incredible alacrity, not only in labouring at the works, but also in the defence of the town, before which the enemy had opened trenches on the very evening of the battle. Three ships anchored at the foulon below their camp ; and for several days they were employed in landing their cannon, mortars, and ammunition. Mean while they worked incessantly at their trenches before the town ; and, on the eleventh day of May, opened one bomb-battery, and three batteries of cannon. Brigadier Murray made the necessary dispositions to defend the place to the last extremity : he raised two cavaliers, contrived some outworks, and planted the ramparts with one hundred and thirty-two pieces of artillery, dragged thither mostly by the soldiery. Though the enemy cannonaded the place with great vivacity the first day, their fire

Quebec
besieged,

An. 1760. soon slackened, and their batteries were, in a manner, silenced by the superior fire of the garrison; nevertheless Quebec would, in all probability, have reverted to its former owners, had a French fleet from Europe got the start of an English squadron, in sailing up the river.

The enemy's
shipping
destroyed.

Lord Colville had sailed from Halifax, with the fleet under his command, on the twenty-second day of April; but was retarded in his passage by thick fogs, contrary winds, and great shoals of ice floating down the river. Commodore Swanton, who had sailed from England with a small reinforcement, arrived about the beginning of May at the isle of Bec, in the river St. Laurence, where, with two ships, he purposed to wait for the rest of his squadron, which had separated from him in the passage: but one of these, the *Lowestoffe*, commanded by captain Deane, had entered the harbour of Quebec on the ninth day of May, and communicated to the governor the joyful news that the squadron was arrived in the river. Commodore Swanton no sooner received intimation that Quebec was besieged, than he sailed up the river with all possible expedition, and on the fifteenth in the evening anchored above Point Levi. The brigadier expressing an earnest desire, that the French squadron above the town might be removed, the commodore ordered captain Schomberg of the *Diana*, and captain Deane of the *Lowestoffe*, to slip their cables early next morning, and attack the enemy's fleet, consisting of two frigates, two armed ships, and a good number of smaller vessels. They were no sooner in motion than the French ships fled in the utmost disorder. One of their

their frigates was driven on the rocks above Cape Diamond; the other ran ashore, and was burned at Point au Tremble, about ten leagues above the town; and all the other vessels were taken or destroyed.

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The enemy were so confounded and dispirited by this disaster, and the certain information that a strong English fleet was already in the river of St. Laurence, that in the following night they raised the siege of Quebec, and retreated with great precipitation, leaving their provisions, implements, and artillery, to governor Murray, who had intended to make a vigorous sally in the morning, and attempt to penetrate into the camp of the besiegers, which, from the information of prisoners and deserters, he conceived to be a very practicable scheme. For this purpose he had selected a body of troops, who were already under arms, when a lieutenant, whom he had sent out with a detachment to amuse the enemy, came and assured him that their trenches were abandoned. He instantly marched out of Quebec at the head of his forces, in hope of overtaking, and making an impression on their rear, that he might have ample revenge for his late discomfiture; but they had passed the river Caprouge before he could come up with their army; however, he took some prisoners, and a great quantity of baggage, including their tents, stores, magazines of provision and ammunition, with thirty-four pieces of battering cannon, ten field-pieces, six mortars, four petards, a great number of scaling-ladders, intrenching tools, and every other implement of a siege. They retired to Jacques-cartier, where their ammunition began

They abandon the siege with precipitation.

An. 1760.

to fail, and they were abandoned by great part of the Canadians; so that they resigned all hope of succeeding against Quebec, and began to take measures for the preservation of Montreal, against which the force under general Amherst was directed.

General
Amherst
arrives at
Oswego.

There Mr. de Vaudreuil had fixed his headquarters, and there he proposed to make his last stand against the efforts of the British general. He not only levied forces, collected magazines, and erected new fortifications in the island of Montreal, but he had even recourse to feigned intelligence, and other arts of delusion, to support the spirit of the Canadians and their Indian allies, which had begun to flag, in consequence of their being obliged to abandon the siege of Quebec*. It must be
owned

* The following letter from the marquis de Vaudreuil to the officers of the Canadian militia, demonstrates the necessity of his affairs, and the shifts to which he was reduced.

“ *Montreal, June 3, 1760.*

SIR,

The chevalier de Levy is just returned to this town; he has repeated to me the strong testimony which he had before given me, of the good will, the zeal, and ardour of your company of militia.

I expected no less from the fidelity of the brave Canadians, and from their attachment to their native country.

His majesty, who is by this time, probably, informed of your brilliant victory, will be no less pleased with this, than affected with the distresses of the colony; so that supposing that a peace has not been concluded, on the receipt of this news, the king of England cannot possibly avoid subscribing such terms as our monarch shall have imposed upon him.

You are not uninformed of the great advantages which he gained in Europe during the last campaign, over the English and Prussians.

The prisoners which are bringing in every moment, all agree in confirming them.

The truth is, his majesty
is

owned he acted with all the spirit and foresight of An. 1760.
an experienced general, determined to exert himself

is in person in Holland, with an army of 200,000 men, the prince of Conti in Germany with 100,000, and the princes of Deux Ponts and Soubise command the army of the empire of 200,000; and lastly, the empress of Russia, and the queen of Hungary, have joined their whole force, and were taking measures for the conquest of the remainder of his Prussian majesty's dominions.

Besides this, the last accounts assure us, that the garrisons of fort Frederick, Niagara, and Chouagan, have suffered greatly by a sickness, which is not yet stopped, and that the regular troops in New England are reduced to nothing.

General Murray therefore has dispersed manifestoes to no purpose, to magnify his own nation, to pacify the Canadians, to engage them to lay down their arms, to discredit our bills of exchange, and our currency, at the same time that the English traders are eager to procure them, because they have been regularly paid.

You see, Sir, that the colony is drawing to the end of its hardships and distresses, and that it is upon the point

of seeing plenty succeed to scarcity.

If the English make any attempt, it can have no other object than the ambition of their generals; we are thoroughly prepared to repulse them with spirit: we have a train of artillery, besides that which we took from the enemy; a still greater proportion of powder, ball, and ammunition, for the operations which I have projected: we have also provisions enough, by means of the resources which we shall find in the good-will of the Canadians, who have the greatest interest in the preservation of their religion and liberty. The king's troops will even live, if necessary, upon roots, when they cannot do better, and will not fail to join their endeavours to those of the brave Canadians.

My intention then is, that you and all your militia should hold yourselves ready to march with arms, baggage, and eight days provisions, to our frontiers, when the case shall require it.

I believe I may venture to assure you, that these will be the last dispositions which I shall have occasion to make, for the defence of this colony;

An. 1760. self for the preservation of the colony, even tho' very little prospect of success remained. His hopes, slender as they were, depended upon the natural strength of the country, rendered almost inaccessible by woods, mountains, and morasses, which might have retarded the progress of the English, and protracted the war, until a general pacification could be effected. In the mean time, major general Amherst was diligently employed in taking measures for the execution of the plan he had projected, in order to complete the conquest of Canada. He conveyed instructions to general Murray, directing him to advance by water towards Montreal, with all the troops that could be spared from the garrison of Quebec. He detached colonel Haviland with a body of troops from Crown-point to take possession of the isle aux Noix, in the lake Champlain, and from thence penetrate the shortest way to the bank of the river St. Lawrence; while he himself, with the main body of the army, amounting to above ten thousand men, including Indians, should proceed from the frontiers of New-York, by the rivers of the Mohawks and Oneidas, to the lake Ontario, and sail down the river St. Lawrence to the island of Montreal. Thus, on the supposition that all these particulars could be

ny; being firmly convinced, that some time in August, at least, we shall have peace, provisions, and, in general, whatever we want.

I am, &c.

P. S. You will assemble the militia of your company,

and read this letter to them; you will carefully inspect their arms; if any of them are out of order, you will give them a note, and the king's gunsmiths will repair them immediately."

executed, the enemy must have been at last hemmed in, and intirely furrounded. In pursuance of this plan, general Amherst had provided two armed sloops to cruise in the lake Ontario, under the command of captain Loring; as well as a great number of batteaus, or smaller vessels, for the transportation of the troops, artillery, ammunition, implements, and baggage. Several regiments were ordered to proceed from Albany to Oswego; and the general, taking his departure from Schenectady, with the rest of the forces, in the latter end of June, arrived at the same place on the ninth day of July.

Being informed that two French vessels had appeared off Oswego, he dispatched some batteaus to Niagara with intelligence to captain Loring, who immediately set sail in quest of them; but they escaped his pursuit, though they had twice appeared in the neighbourhood of Oswego since the arrival of the general, who endeavoured to amuse them by detaching batteaus to different parts of the lake. The army being assembled, and joined by a considerable body of Indians under the command of Sir William Johnson, the general detached colonel Haldemand with the light infantry, the grenadiers, and one battalion of highlanders, to take post at the bottom of the lake, and assist the armed vessels in finding a passage to Le Gallette. On the tenth day of August the army embarked on board the batteaus and whale-boats, and proceeded on the lake towards the mouth of the river St. Lawrence. Understanding that one of the enemy's vessels had run a-ground and was disabled,

He sails down the St. Lawrence, and reduces the French fort at Isle Royale.

An. 1760. and that the other lay off La Galette, he resolved to make the best of his way down the river to Swegatchie, and attack the French fort at Isle Royale, one of the most important posts on the river St. Lawrence, the source of which it in a great measure commands. On the seventeenth the row-gallies fell in with the French sloop commanded by Mr. de la Broquerie, who surrendered after a warm engagement. Mr. Amherst having detached some engineers to reconnoitre the coasts and islands in the neighbourhood of Isle Royale, he made a disposition for the attack of that fortress, which was accordingly invested, after he had taken possession of the islands. Some of these the enemy had abandoned with such precipitation, as to leave behind a few scalps they had taken on the Mohawk river, a number of tools and utensils, two swivels, some barrels of pitch, and a large quantity of iron. The Indians were so incensed at sight of the scalps, that they burned a chapel, and all the houses of the enemy. Batteries being raised on the nearest islands, the fort was cannonaded not only by them, but likewise by the armed sloops; and a disposition was made for giving the assault, when Mr. Pouchaut the governor thought proper to beat a parley, and surrender on capitulation. The general, having taken possession of the fort, found it so well situated for commanding the lake Ontario, and the Mohawk river, that he resolved to maintain it with a garrison, and employed some days in repairing the fortifications.

From this place his navigation down the river St. Lawrence was rendered extremely difficult and dan-

An. 1760.

dangerous, by a great number of violent riffs, or rapides, and falls; among which he lost above fourscore men, forty-six batteaus, seventeen whale-boats, one row-galley, with some artillery, stores, and ammunition. On the sixth day of September the troops were landed on the island of Montreal without any opposition, except from some flying parties, which exchanged a few shot, and then fled with precipitation. That same day he repaired a bridge which they had broke down in their retreat, and, after a march of two leagues, formed his army on a plain before Montreal, where they lay all night on their arms. Montreal is, in point of importance, the second place in Canada, situated in an island of the river St. Lawrence, at an equal distance from Quebec and the lake Ontario. Its central situation rendered it the staple of the Indian trade; yet the fortifications of it were inconsiderable, not at all adequate to the value of the place.

He lands on the island of Montreal.

General Amherst ordered some pieces of artillery to be brought up immediately from the landing-place at La Chine, where he had left some regiments for the security of the boats, and determined to commence the siege in form; but in the morning of the seventh he received a letter from the marquis de Vaudreuil by two officers, demanding a capitulation: which, after some letters had passed between the two generals, was granted upon as favourable * terms as the French had reason to expect,

The French general capitulates.

* *Articles of Capitulation between his Excellency General Amherst, Commander in*

Chief of his Britannic Majesty's Troops and Forces in North-America, and his Ex-

An. 1760. expect, considering that general Murray, with the troops from Quebec, had by this time landed on the

Excellency the Marquis de Vaudreuil, Grand Croix of the Royal and Military Order of St. Lewis, Governor, and Lieutenant General for the King in Canada.

Art. I. Twenty-four hours after the signing of the present capitulation, the English general shall cause the troops of his Britannic Majesty to take possession of the gates of the town of Montreal: and the English garrison shall not come into the place till after the French troops shall have evacuated it.

“ The whole garrison of Montreal must lay down their arms, and shall not serve during the present war. Immediately after the signing of the present capitulation, the king's troops shall take possession of the gates, and shall post the guards necessary to preserve good order in the town.”

Art. II. The troops, and the militia, who are in garrison in the town of Montreal, shall go out by the gate of with all the honours of war, six pieces of cannon, and one mortar, which shall be put on board the vessel, where the marquis de Vaudreuil shall embark with ten rounds for each piece. The

same shall be granted to the garrison of Trois Rivières, as to the honours of war.

Art. III. The troops and militia, who are in garrison in the fort of Jacques Cartier, and in the island St. Helen, and other forts, shall be treated in the same manner, and shall have the same honours; and these troops shall go to Montreal, or Trois Rivières, or Quebec, to be there embarked for the first sea-port in France, by the shortest way. The troops who are in our posts, situated on our frontiers, on the side of Acadia, at Detroit, Michilimackinac, and other posts, shall enjoy the same honours, and be treated in the same manner.

“ All these troops are not to serve during the present war, and shall likewise lay down their arms. The rest is granted.”

Art. IV. The militia, after being come out of the above towns, forts, and posts, shall return to their homes, without being molested on any pretence whatever, on account of their having carried arms. “ Granted.”

Art. V. The troops who keep the field, shall raise their camp, and march, drums

the island; and colonel Haviland, with the body under his command, had just arrived on the south-side

drums beating, with their arms, baggage, and artillery, to join the garrison of Montreal, and shall be treated in every respect the same.

“ These troops, as well as the others, must lay down their arms.”

Art. VI. The subjects of his Britannic majesty, and of his most Christian majesty, soldiers, militia, or seamen, who shall have deserted, or left the service of their sovereign, and carried arms in North-America, shall be, on both sides, pardoned for their crimes, they shall be, respectively, returned to their country; if not, each shall remain where he is, without being sought after, or molested.

“ Refused.”

Art. VII. The magazines, the artillery, firelocks, sabres, ammunition of war, and in general, every thing that belongs to his most Christian majesty, as well in the towns of Montreal, and Trois Rivières, as in the forts and posts mentioned in the third article, shall be delivered up, according to exact inventories, to the commissaries, who shall be appointed to receive the same in the name of his Britannic majesty. Duplicates of the said

inventories shall be given to the marquis de Vaudreuil.

“ This is every thing that can be asked on this article.”

Art. VIII. The officers, soldiers, militia, seamen, and even the Indians, detained on account of their wounds or sickness, as well in the hospital as in private houses, shall enjoy the privileges of the cartel, and be treated accordingly.

“ The sick and wounded shall be treated the same as our own people.”

Art. IX. The English general shall engage to send back to their own homes the Indians and Moraignans, who make part of his armies, immediately after the signing of the present capitulation. And in the mean time, in order to prevent all disorders on the part of those who may not be gone away, the said general shall give safeguards to such persons as shall desire them, as well in the town as in the country.

“ The first part refused. There never has been any cruelties committed by the Indians of our army; and good order shall be preserved.”

Art. X. His Britannic majesty's general shall be answerable

An. 1760. side of the river, opposite to Montreal: circumstances equally favourable and surprizing, if we reflect

swerable for all disorders on the part of his troops, and oblige them to pay the damages they may do, as well in the towns as in the country.

“ Answered by the preceding article.”

Art. XI. The English general shall not oblige the marquis de Vaudreuil to leave the town of Montreal before the and no person shall be lodged in his house till he is gone. The chevalier Levis, commander of the land-forces; the principal officers and majors of the land-forces, and of the colony troops, the engineers, officers of the artillery, and commissary of war, shall also remain at Montreal to the said day, and shall keep their lodgings there. The same shall be observed with regard to M. Bigot, intendant, the commissaries of marines, and writers, whom the said M. Bigot shall have occasion for; and no person shall be lodged at the intendant's house before he shall be gone.

“ The marquis de Vaudreuil, and all these gentlemen, shall be masters of their houses, and shall embark when the king's ships shall be ready to sail for Europe; and all

possible conveniencies shall be granted them.”

Art. XII. The most convenient vessel that can be found, shall be appointed to carry the marquis de Vaudreuil, by the straightest passage, to the first sea-port in France. The necessary accommodations shall be made for him, the marquis de Vaudreuil, M. de Rigand, governor of Montreal, and *suite* of this general. This vessel shall be properly victualled at the expense of his Britannic majesty; and the marquis de Vaudreuil shall take with him his papers, without their being examined, and his equipages, plate, baggage, and also those of his *suite*.

“ Granted, except the archives, which shall be necessary for the government of the country.”

Art. XIII. If before, or after, the embarkation of the marquis de Vaudreuil, news of peace should arrive, and that, by the treaty, Canada should remain to his most Christian majesty, the marquis de Vaudreuil shall return to Quebec or Montreal, every thing shall return to its former state under the dominion of his most Christian majesty, and the present capi-

fleet upon the different routes they pursued, thro' an enemy's country, where they had no intelligence

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capitulation shall become null and of no effect.

"Whatever the king may have done on this subject, shall be obeyed."

Art. XIV. Two ships shall be appointed to carry to France le Chevalier de Levis, the principal officers, and the staff of the land-forces, the engineers, officers of artillery, and their *suite*. These vessels shall likewise be victualled, and the necessary accommodations provided in them. The said officers shall take with them their papers, without being examined, and also their equipages and baggage. Such of the said officers as shall be married, shall have liberty to take with them their wives and children, who shall also be victualled.

"Granted; except that the marquis de Vaudreuil, and all the officers, of whatever rank they may be, shall faithfully deliver up to us all the charts and plans of the country."

Art. XV. A vessel shall also be appointed for the passage of M. Bigot, the intendant, with his *suite*. In which vessel the proper accommodations shall be made for him, and the persons he shall take with him. He shall like-

wise embark with him his papers, which shall not be examined, his equipages, plate, and baggage, and those of his *suite*. This vessel shall also be victualled as before-mentioned.

"Granted, with the same reserve as in the preceding article."

Art. XVI. The English general shall also order the necessary and most convenient vessels to carry to France M. de Longueuil, governor of Trois Rivières, the staff of the colony, and the commissary of the marine: They shall embark therein, their families, servants, baggage, and equipages: and they shall be properly victualled during the passage, at the expence of his Britannic majesty.

"Granted."

Art. XVII. The officers and soldiers, as well of the land-forces as of the colony, and also the marine-officers and seamen who are in the colony, shall be likewise embarked for France, and sufficient and convenient vessels shall be appointed for them. The land and sea-officers who shall be married, shall take with them their families, and all of them shall have liberty to embark their servants and bag-

An. 1760. gence of the motions of each other. Had any accident retarded the progress of general Amherst, the

baggage. As to the soldiers and seamen, those who are married, shall take with them their wives and children, and all of them shall embark their havresacks and baggage. These vessels shall be properly and sufficiently victualled at the expence of his Britannic majesty.

“Granted.”

Art. XVIII. The officers, soldiers, and all the followers of the troops, who shall have their baggage in the field, may send for it before they depart, without any hindrance or molestation.

“Granted.”

Art. XIX. An hospital-ship shall be provided by the English general, for such of the wounded and sick officers, soldiers, and seamen, as shall be in a condition to be carried to France, and shall likewise be victualled at the expence of his Britannic majesty.

It shall be the same with regard to the other wounded and sick officers, soldiers, and sailors, as soon as they shall be recovered, they shall be at liberty to carry with them their wives, children, servants, and baggage; and the said soldiers and sailors shall not be solicited or forced to en-

ter into the service of his Britannic majesty. “Granted.”

Art. XX. A commissary, and one of the king's writers, shall be left to take care of the hospitals, and of whatever may relate to the service of his most Christian majesty.

“Granted.”

Art. XXI. The English general shall also provide ships for carrying to France the officers of the supreme council of justice, police, admiralty, and all other officers, having commissions or brevets from his most Christian majesty, for them, their families, servants, and equipages, as well as for the other officers; and they shall likewise be victualled at the expence of his Britannic majesty. They shall, however, be at liberty to stay in the colony, if they think proper, to settle their affairs, or to withdraw to France, whenever they think fit.

“Granted; but if they have papers relating to the government of the country, they are to be delivered to us.”

Art. XXII. If there are any military officers, whose affairs shall require their presence in the colony till next year, they shall have liberty to stay in it, after having obtained

the reduction of Montreal would have been attempted by general Murray, who embarked with his

An. 1760.

the permission of the marquis de Vaudreuil for that purpose, and without being reputed prisoners of war.

"All those whose private affairs shall require their stay in the country, and who shall have the marquis de Vaudreuil's leave for so doing, shall be allowed to remain till their affairs are settled."

Art. XXIII. The commissary for the king's provisions shall be at liberty to stay in Canada till next year, in order to be enabled to answer the debts he has contracted in the colony, on account of what he has furnished; but if he should prefer to go to France this year, he shall be obliged to leave till next year a person to transact his business. This private person shall preserve, and have liberty to carry off all his papers, without being inspected. His clerks shall have leave to stay in the colony or go to France; and in this last case, a passage and subsistence shall be allowed them on board the ships of his Britannic majesty, for them, their families, and their baggage. "Granted."

Art. XXIV. The provisions and other kind of stores which shall be found in the magazines of the commissary, as

well in the town of Montreal, and of Trois Rivières, as in the country, shall be preserved to him, the said provisions belonging to him, and not to the king, and he shall be at liberty to sell them to the French or English.

"Every thing that is actually in the magazines, destined for the use of the troops, is to be delivered to the English commissary for the king's forces."

Art. XXV. A passage to France shall likewise be granted on board of his Britannic majesty's ships, as well as victuals, to such officers of the India company as shall be willing to go thither, and they shall take with them their families, servants, and baggage. The chief agent of the said company, in case he should chuse to go to France, shall be allowed to leave such person as he shall think proper, till next year, to settle the affairs of the said company, and to recover such sums as are due to them. The said chief agent shall keep possession of all the papers belonging to the said company, and they shall not be liable to inspection.

"Granted."

Art. XXVI. The said company

An. 1760. his troops at Quebec on board of a great number of small vessels, under the command of captain Deane

pany shall be maintained in the property of the Ecarlatines and Castors, which they may have in the town of Montreal; they shall not be touched under any pretence whatever, and the necessary facilities shall be given to the chief agent to send this year, his Castors to France, on board his Britannic majesty's ships, paying the freight on the same footing as the English would pay it.

"Granted, with regard to what may belong to the company, or to private persons; but if his most Christian majesty has any share in it, that must become the property of the king."

Art. XXVII. The free exercise of the Catholic, Apostolic, and Roman religion, shall subsist intire; in such manner that all the states and the people of the towns and countries, places and distant posts, shall continue to assemble in the churches, and to frequent the sacraments as heretofore, without being molested in any manner directly or indirectly.

These people shall be obliged, by the English government, to pay to the priests, the tithes and all the taxes they were used to pay,

under the government of his most Christian majesty.

"Granted, as to the free exercise of their religion. The obligation of paying the tithes to the priests, will depend on the king's pleasure."

Art. XXVIII. The chapter, priests, curates, and missionaries, shall continue with an entire liberty, their exercise and functions of their cures, in the parishes of the towns and countries.

"Granted."

Art. XXIX. The grand vicars, named by the chapter to administer to the diocese during the vacancy of the episcopal see, shall have liberty to dwell in the towns or country parishes, as they shall think proper. They shall at all times be free to visit the different parishes of the diocese, with the ordinary ceremonies, and exercise all the jurisdiction they exercised under the French dominion. They shall enjoy the same rights in case of death of the future bishop, of which mention will be made in the following article.

"Granted, except what regards the following article."

Art. XXX. If, by the treaty of peace, Canada should remain

Deane in the Diana. This gentleman, with uncommon abilities, surmounted the difficulties of an

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remain in the power of his Britannick majesty. his most Christian majesty shall continue to name the bishop of the colony, who shall always be of the Roman communion, and under whose authority the people shall exercise the Roman religion.

“Refused.”

Art. XXXI. The bishop shall, in case of need, establish new parishes, and provide for the rebuilding of his cathedral and his episcopal palace; and, in the meantime, he shall have the liberty to dwell in the town or parishes, as he shall judge proper. He shall be at liberty to visit his diocese with the ordinary ceremonies, and exercise all the jurisdiction which his predecessor exercised under the French dominion, save that an oath of fidelity, or a promise to do nothing contrary to his Britannic majesty's service, may be required of him.

“This article is comprized under the foregoing”

Art. XXXII. The communities of nuns shall be preserved in their constitutions and privileges. They shall continue to observe their rules. They shall be exempted from lodging any military, and it

Numb. 30.

shall be forbid to trouble them in their religious exercises, or to enter their monasteries: safeguards shall even be given them, if they desire them.

“Granted.”

Art. XXXIII. The preceding article shall likewise be executed with regard to the communities of jesuits and recolets, and of the house of the priests of saint Sulpice at Montreal. These last, and the jesuits, shall preserve their right to nominate to certain curacies and missions, as heretofore.

“Refused till the king's pleasure be known.”

Art. XXXIV. All the communities, and all the priests, shall preserve their moveables, the property and revenues of the seignories, and other estates which they possess in the colony, of what nature soever they may be. And the same estates shall be preserved in their privileges, rights, honours, and exemption.

“Granted.”

Art. XXXV. If the canons, priests, missionaries, the priests of the seminary of the foreign missions, and of St Sulpice, as well as the jesuits, and the recolets, chuse to go to France, passage shall be granted them in his Britannic majesty's

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ships:

An. 1760. unknown, dangerous, and intricate navigation ;
and conducted the voyage with such success, that
not

ships : and they shall all have leave to sell, in whole, or in part, the estates and moveables which they possess in the colonies, either to the French, or to the English, without the least hindrance or obstacle from the British government.

They may take with them, or send to France, the produce of what nature soever it be, of the said goods sold, paying the freight, as mentioned in the twenty-sixth article. And such of the said priests who chuse to go this year, shall be victualled during the passage, at the expence of his Britannic majesty ; and shall take with them their baggage.

“ They shall be masters to dispose of their estates, and to send the produce thereof, as well as their persons, and all that belongs to them, to France.”

Art. XXXVI. If, by the treaty of peace, Canada remains to his Britannic majesty, all the French, Canadians, Acadians, merchants, and other persons, who chuse to retire to France, shall have leave to do so, from the English general, who shall procure them a passage. And nevertheless, if from this time to that decision, any French

or Canadian merchants, or other persons shall desire to go to France, they shall likewise have leave from the English general. Both the one and the other shall take with them their families, servants, and baggage.

“ Granted.”

Art. XXXVII. The lords of manors, the military and civil officers, the Canadians, as well in the towns as in the country, the French settled or trading in the whole extent of the colony of Canada, and all other persons whatsoever, shall preserve the entire peaceable property and possession of their goods, noble and ignoble, moveable and immoveable, merchandizes, furs, and other effects, even their ships ; they shall not be touched, nor the least damage done to them, on any pretence whatsoever. They shall have liberty to keep, let, or sell them, as well to the French as to the English, to take away the produce of them, in bills of exchange, furs, specie, or other returns, whenever they shall judge proper to go to France, paying their freight, as in the twenty-sixth article. They shall also have the furs which are in the posts above, and which

not a single vessel was lost in the expedition. Mr. de Levis, at the head of his forces, watched the motions

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which belong to them, and may be on the way to Montreal. And for this purpose they shall have leave to send this year, or the next, canoes, fitted out to fetch such of the said furs as shall have remained in those posts.

"Granted; as in the 26th article."

Art. XXXVIII. All the people who have left Acadia, and who shall be found in Canada, including the frontiers of Canada, on the side of Acadia, shall have the same treatment as the Canadians, and shall enjoy the same privileges.

"The king is to dispose of his ancient subjects: in the mean time they shall enjoy the same privilege as the Canadians."

Art. XXXIX. None of the Canadians, Acadians, or French, who are now in Canada, and on the frontiers of the colony, on the side of Acadia, Detroit, Michilimackinac, and other places and posts of the countries above, the married and unmarried soldiers, remaining in Canada, shall be carried or transported into the English colonies, or to Old England, and they shall not be troubled for having carried arms.

"Granted; except with regard to the Canadians."

Art. XL. The savages, or Indian allies of his most Christian majesty, shall be maintained in the lands they inhabit, if they chuse to remain there; they shall not be molested on any pretence whatsoever, for having carried arms, and served his most Christian majesty. They shall have, as well as the French, liberty of religion, and shall keep their missionaries. The actual vicars-general, and the bishop, when the episcopal see shall be filled, shall have leave to send to them new missionaries when they shall judge it necessary.

"Granted; except the last article, which has been already refused."

Art. XLI. The French, Canadians, and Acadians, of what state and condition soever, who shall remain in the colony, shall not be forced to take arms against his most Christian majesty or his allies, directly or indirectly, on any occasion whatsoever. The British government shall only require of them an exact neutrality.

"They become subjects of the king."

An. 1760. motions of general Murray, who, in advancing up the river, published manifestoes among the Canadians,

Art. XLII. The French and Canadians shall continue to be governed according to the custom of Paris, and the laws and usages established for this country; and they shall not be subject to any other imposts than those which were established under the French dominions.

“ Answered by the preceding articles, and particularly by the last.”

Art. XLIII. The papers of the government shall remain, without exception, in the power of the marquis de Vaudreuil, and shall go to France with him. These papers shall not be examined on any pretence whatsoever.

“ Granted, with the reserve already made.

Art. XLIV. The papers of the intendency of the officers of comptroller of the marine, of the ancient and new treasures, of the king's magazines, of the office of the revenues, and forces of St. Maurice, shall remain in the power of M. Bigot, the intendant, and they shall be embarked for France in the same vessel with him. These papers shall not be examined.

“ The same as to this article.”

Art. XLV. The registers,

and other papers of the supreme council of Quebec, of the provost, and admiralty of the said city; those of the royal jurisdictions of Trois Rivières, and of Montreal; those of the seigneurial jurisdictions of the colony: the minutes of the acts of the notaries of the towns and of the countries; and, in general, the acts, and other papers that may serve to prove the estates and fortunes of the citizens, shall remain in the colony, in the rolls of the jurisdictions on which these papers depend.

“ Granted.”

Art. XLVI. The inhabitants and merchants shall enjoy all the privileges of trade, under the same favours and conditions, granted to the subjects of his Britannic majesty, as well in the countries above, as in the interior of the colony.

“ Granted.”

Art. XLVII. The negroes and Panis of both sexes, shall remain, in their quality of slaves, in the possession of the French and Canadians, to whom they belong; they shall be at liberty to keep them in their service in the colony, or to sell them; and they may also continue to bring

dians, which produced all the effect he could desire. Almost all the parishes on the south shore.

as

bring them up in the Roman religion.

"Granted, except those who shall have been made prisoners."

Art. XLVIII. The marquis de Vaudrenil, the general and staff-officers of the land-forces, the governors and staff-officers of the different places of the colony, the military and civil officers, and all other persons who shall leave the colony, or who are already absent, shall have leave to name and appoint attornies to act for them, and in their name, in the administration of their effects, moveable and immoveable, until the peace. And if, by the treaty between the two crowns, Canada does not return under the French dominion, these officers or other persons, or attornies for them, shall have leave to sell their manors, houses, and other estates, their moveables and effects, &c. to carry away, or send to France, the produce, either in bills of exchange, specie, furs, or other returns, as is mentioned in the thirty-seventh article.

"Granted."

Art. XLIX. The inhabitants and other persons who

shall have suffered any damage in their goods, moveable or immoveable, which remained at Quebec, under the faith of the capitulation of that city, may make their representations to the British government, who shall render them due justice against the person to whom it shall belong.

"Granted."

Art. L. and last. The present capitulation shall be inviolably executed in all its articles, and *bonâ fide* on both sides, notwithstanding any infraction, and any other pretence with regard to the preceding capitulations, and without making use of reprisals.

"Granted."

P. S. Art. LI. The English general shall engage, in case any Indians remain after the surrender of this town, to prevent their coming into the towns; and that they do not, in any manner, insult the subjects of his most Christian majesty.

"Care shall be taken that the Indians do not insult any of the subjects of his most Christian majesty."

Art. LII. The troops and other subjects of his most Christian majesty, who are

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An. 1760. as far as the river Sorel, submitted, and took an oath of neutrality ; and lord Rollo disarmed all the inhabitants of the north shore as far as Trois Rivières, which, though the capital of a district, being no more than an open village, was taken without resistance. In a word, general Amherst took possession of Montreal, and thus completed the conquest of all Canada ; a conquest the most important of any that ever the British arms achieved, whether we consider the safety of the English colonies in North-America, now secured from invasion and encroachment ; the extent and fertility of the country subdued ; or the whole In-

to go to France, shall be embarked, at latest, fifteen days after the signing of the present capitulation.

“ Answered by the eleventh article.”

Art. LIII. The troops and other subjects of his most Christian majesty, who are to go to France, shall remain lodged and encamped in the town of Montreal, and other posts which they now occupy, till they shall be embarked for their departure : passports however shall be granted to those who shall want them for the different places of the colony, to take care of their affairs.

“ Granted.”

Art. LIV. All the officers and soldiers of the troops in the service of France, who are prisoners in New England,

and who were taken in Canada, shall be sent back, as soon as possible to France, where their ransom or exchange shall be treated of, agreeable to the cartel ; and if any of these officers have affairs in Canada, they shall have leave to come there.

“ Granted.”

Art. LV. As to the officers of the militia, and the Acadians, who are prisoners in New England, they shall be sent back to their countries.

“ Granted ; except what regards the Acadians.”

Done at Montreal, Sept. 8, 1760,

VAUDREUIL.

Done in the camp before Montreal, the eighth of Sept. 1760,

JEFF. AMHERST.

dian

dian commerce thus transferred to the traders of Great Britain. The terms of the capitulation may perhaps be thought rather too favourable, as the enemy were actually inclosed, and destitute of all hope of relief: but little points like these ought to be always sacrificed to the consideration of great objects; and the finishing the conquest of a great country, without bloodshed, redounds as much to the honour as it argues the humanity of general Amherst, whose conduct had been irreproachable during the whole course of these American operations. At the same time it must be allowed he was extremely fortunate in having subordinate commanders, who perfectly corresponded with his ideas, and a body of troops whom no labours could discourage, whom no dangers could dismay. Sir William Johnson, with a power of authority and insinuation peculiar to himself, not only maintained a surprising ascendancy over the most ferocious of all the Indian tribes, but kept them within the bounds of such salutary restraint, that not one single act of inhumanity was perpetrated by them during the whole course of this expedition. The zeal and conduct of brigadier-general Gage; the undaunted spirit and enterprising genius of general Murray; the diligence and activity of colonel Haviland; happily co-operated in promoting this great event.

The French ministry had attempted to succour Montreal, by equipping a considerable number of storeships, and sending them out in the spring under convoy of a frigate; but as their officers understood that the British squadron had sailed up the

Ships of the enemy destroyed in the bay of Chaleurs.

An. 1760. river St. Laurence before their arrival, they took shelter in the bay of Chaleurs on the coast of Acadia, where they did not long remain unmolested. Captain Byron, who commanded the ships of war that were left at Louisbourg, having received intelligence of them from Brigadier-general Whitmore, sailed thither with his squadron, and found them at anchor. The whole fleet consisted of one frigate, two large store-ships, and nineteen sail of smaller vessels, the greater part of which had been taken from the merchants of Great-Britain; all these were destroyed, together with two batteries which had been raised for their protection. The French town, consisting of two hundred houses, was demolished, and the settlement totally ruined.

Total reduction of Canada.

All the French subjects inhabiting the territories from the bay of Fundy to the banks of the river St. Laurence, and all the Indians through that tract of country, were now subdued, and subjected to the English government. In the month of December, of the preceding year, the French colonists of Miramichi, Rickebuctou, and other places lying along the gulph of St. Lawrence, made their submission by deputies to colonel Frye, who commanded in Fort Cumberland at Chignecto. They afterwards renewed this submission, in the most formal manner, by subscribing articles; by which they obliged themselves, and the people they represented, to repair in the spring to Bay Verte, with all their effects and shipping, to be disposed of according to the direction of colonel Laurence, governor of Halifax in Nova Scotia. They were accompanied by two Indian chiefs of the nation of the

the Mickmacks, a powerful and numerous people, now become entirely dependent upon his Britannic majesty. In a word, by the conquest of Canada, the Indian fur-trade, in its full extent, hath fallen into the hands of the English. The French interest among the savage tribes inhabiting an immense tract of country, is totally extinguished; and their American possessions shrunk within the limits of Louisiana, an infant colony on the south of the Mississippi, which the British arms may at any time easily subdue.

An historian's view ought to be principally and invariably directed to truth, as the polar star, without whose guiding influence his work can serve no other purpose but to propagate falsehood, and mislead mankind. He that knowingly ministers to these ends is a dangerous tool, and an abandoned prostitute: but the most conscientious historian may be betrayed into calumny by misinformation, and hurried into mistake by precipitation or inadvertency. The only atonement which he can make for these involuntary errors, is to retract them, upon conviction, in such a manner as to undeceive the reader whom he has unknowingly misled, and healing the wounds which he had unwittingly inflicted. Thus the injured person will have reason to be satisfied, and the public will forgive the writer's errors, in consideration of his integrity. Actuated by these motives and sentiments, we with pleasure embrace this opportunity of making reparation for an unintentional injury we have done to a worthy patriot, in the fourth volume of the Complete History of England. In page

Vindication of the conduct of alderman Heathcote.

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'575, of the quarto edition, in recording the scheme of Sir John Barnard for raising money, either by the sale of annuities, or by borrowing at an interest not exceeding three per centum, to be applied towards redeeming the South-sea annuities; we have inadvertently misrepresented the character of alderman Heathcote, by saying, "This scheme was violently opposed by alderman Heathcote, and *other* partizans of the ministry." Conscious of the injury we have done that gentleman, by blending him with such unpopular society, we think it our duty to declare, upon better information, that alderman Heathcote, far from being a partizan of any ministry, always distinguished himself in parliament by a constant and uniform opposition to all ministerial measures, which tended to the prejudice or dishonour of the nation; and ever approved himself an honest, resolute, and zealous assertor of the rights and liberties of the people. Indeed, his independency of spirit, his integrity, ability, and love for his country, could not have a more honourable and convincing testimonial than the warm, affectionate, and ample acknowledgment of the court of aldermen and common-council of the city of London, who, when he begged leave to resign his gown, expressed their entire approbation of the diligent, faithful, and honest discharge of the several great and important trusts they had reposed in him, both as their representative in parliament, and in bearing successively all the great offices of the city. That he opposed Sir John Barnard's scheme is certainly true; and as, upon this singular occasion, his sentiments happened

pened to be espoused by the ministry, it is a justice we owe Mr. Heathcote to recapitulate some of the arguments he used to enforce them, against the execution of a project which he thought cruel in regard to individuals, and prejudicial with respect to the community. He observed, that a reduction of the interest would distress people of small fortunes invested in the funds, especially those, of both sexes, who were bred to no employment, and incapable of business; for they could not employ their money to better advantage in commerce, which was already overstocked. "Trade (he said) was like a tract of pasture ground, which would maintain a certain number of cattle; but if that number was doubled, the whole must starve." He launched out into a detail of particulars. He took notice, that those who engaged in commerce, upon small capitals, must be utterly undone, without the assistance of foreign commissions, which would always be confined to a few hands: that the foreign markets were already overstocked with commodities, supplied not only by British merchants, but also by their rivals of France, who could afford to undersell the English traders, because they were less encumbered with heavy taxes and high duties: that, in the most advantageous branches of traffick, no merchant could gain above five per centum per annum upon any adventure; for although goods sent to Lisbon would sell for a profit of twenty-five pounds per centum, yet the risques he must run, and the length of time he must wait for payment, would reduce his profit even to common interest; for he would be exposed

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posed to a double hazard of the seas, first to Lisbon, and then to Brasil; and likewise to the dangers of a double credit, first of the merchants in Lisbon, and afterwards of their correspondents in the West-Indies: that as men of small capitals could not afford to lie so long out of their money, and must be ruined by small losses, they would avoid engaging in commerce under such disadvantages, and, rather than starve at home, remove themselves and their little fortunes into some other country, where, though the security might not be so good, the interest was much higher: thus the nation would be at once deprived of its subjects, and drained of its money: that, by vesting their property in the French funds, they could draw an interest of six per centum, and would probably fix their own habitation where their fortune is deposited; especially when this motive would be reinforced by other powerful considerations, such as the cheapness of living in France, the agreeable climate, the gaiety and good humour of the inhabitants: that the Dutch, who were tempted to embark their money in the English funds, for the sake of reaping better interest than they could make in Holland, would gradually withdraw that money, when the interest should be reduced so low as to be insufficient for defraying the expence of commission, brokerage, and transfers, besides the risque of correspondents; by which means the price of stock would sink so low, that they might gradually purchase again at such a discount as would amply indemnify them for the reduction of the former interest: thus the nation would annually

nually pay them as much interest as before, and be as much more in their debt, as their capital would be now increased. He reminded the house, that they represented not only the landed, but also the monied interest, and both were equally intitled to their protection ; that though the reduction of interest might prove beneficial to the landed interest, which comprehended the greater number, that benefit could not justify their distressing the lesser number ; that nothing could justify their sacrificing the few to the many, but such a national necessity as did not then exist : that, if the sinking fund had been kept sacred for the purposes for which it was originally designed, great part of the national debt must have been already paid off, and in a few years the whole would be discharged ; that it was still sufficient for the purpose, should it be conscientiously applied for the future : that the present scheme, instead of contributing to the discharge of the national debt, would only afford a larger sinking fund for enabling some minister to extend the system of c——n, and prosecute with more eagerness and effect those continental views so foreign and destructive to the true interest of Great Britain. Finally, he undertook to demonstrate, that the reduction of interest, far from proving beneficial to the landed interest, would oblige the land-holders to mortgage greater parts of their estates, for portioning their younger children, than was necessary at present ; and likewise to retrench in their manner of living : a circumstance that would necessarily lessen the consumption of what the lands produced, and, by affecting the

An. 1760. the tenant, of consequence diminish the value of the estate. Whether these arguments were conclusive we shall not pretend to determine: in some instances it must be allowed his predictions were verified. The high interest given abroad hath tempted several subjects of Great Britain to trust large sums of money in the funds of France; and if this example, exhibited by individuals of immense wealth, hath not been followed by persons of narrow fortunes, on whom the temptation might be supposed to have a greater effect, their hesitation may be imputed to the intervention of two successive wars, which have broke out and been maintained with such animosity between the two nations. With respect to the sinking fund, so considerably increased by the reduction of interest, we do not find that Mr. Heathcote was much mistaken in his prognostic, touching the application of that sacred deposit. As for the Dutch adventurers, the sudden sinking of the English stocks has not only prevented them from selling out at a large discount, but also invited them to purchase more capital, upon which they have gained a very considerable interest; and this, in all probability, will be added to the debt which England already owes to their country.

Having thus granted all the reparation in our power to alderman Heathcote, we shall act with the same candour towards commodore Moore, commander of the British Squadron at the Leeward islands, who complains that his conduct has been, in some particulars, misrepresented in our account of the expedition to Martinique and Guadalupe.

As

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Observations on the conduct of commodore Moore, during the expedition to Martinique and Guadalupe.

As all the incidents relating to that affair specified in our history, are compiled either from the London Gazette, which has ever been deemed an authentic record, or from an account of the expedition published by an officer of reputation, or from letters and memorials, written and presented by French officers, civil as well as military, belonging to the islands of Martinique and Guadalupe; the authenticity of which papers has never been controverted, we might safely rest the credit of our integrity on these vouchers, were we not determined to seize all opportunities of manifesting our candour, by revising the process of every individual, who thinks himself aggrieved, either by the authorities we have used, or the reflections we have hazarded. In the present case we consider it as an act of humanity, as well as justice, when we reflect upon the peculiar cruelty which is manifested in aspersing the character of an officer, at the very time while he is exerting all his faculties, and even exposing his life, in the service of his country, at such a distance from the tribunal before which he is arraigned, that, far from being able to vindicate his conduct, he does not even hear of the imputation, until it shall have made such an impression, as even the clearest evidence of truth cannot intirely erase.

The following observations, referring to particular paragraphs, in our account of the expedition, contained in the twenty-third and twenty-fourth numbers of our Continuation, were communicated by Mr. Moore, and authenticated by original papers submitted to our inspection.

P. 130,

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P. 130, "where they joined commodore Moore, who now assumed the command of the united squadrons."——The commodore took upon him the command in consequence of the king's instructions, being fixed upon as a proper person for that purpose.

Id. *ibid.* "Five days were employed in supplying the fleet with wood and water, &c."——The fleet waited ten days for the necessaries of the army, and the arrival of the hospital ship; as appears by a letter from general Hopson to Mr. Moore, and the result of the council of war held by the general on the fourth day of January.

Id. *ibid.* "The troops, which did not exceed five thousand men, being joined by two hundred highlanders."——There were between four and five hundred highlanders; and the number of the whole army that sailed from Barbadoes amounted to five thousand eight hundred and twenty-four men, as appears from the return.

P. 132, "The two frigates, under favour of the night, made their escape."——It was only one frigate that sailed from the Carenage in the night. She was chased in the bay by the Winchester, one of Mr. Moore's squadron; but outsailed her, and made the best of her way to Europe.

P. 134. "He gave the commodore to understand, that he could not maintain his ground, unless the squadron would supply him with heavy cannon, landed near the town of Port-Royal."——The general having desired that the cannon might be landed at a savannah, where the boats must have been greatly exposed to the fire of the enemy,

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my, which would have rendered the service impracticable, according to the opinions of the pilots and captains, given in a council of war held for that purpose, Mr. Moore communicated these opinions to the general; but at the same time offered to land the cannon on the other side of Point Negro, at a place equally near the road from the English army to Fort-Royal, and even cause them to be drawn up by the seamen, without giving any trouble to the troops. The general, instead of embracing this proposal, sent a second message to the commodore, desiring the troops might be reembarked as soon as possible; and this service Mr. Moore performed with reluctance.

P. 135, "The majority of the British officers who constituted the council of war, having given their opinion, that it might be for his majesty's service to make an attack upon St. Pierre, the fleet proceeded to that part of the island."—This council of war, at which the commodore did not assist, was held to deliberate upon the opinion of the chief engineer, and some other officers, who thought they should make another landing to the southward of the Carenage. On this occasion the pilots being examined, declared, that should the troops land to the southward, it would be extremely difficult, if not impracticable, for the fleet to keep up a communication with the army; that the ships in turning up would be exposed to the fire of Fort Royal, Pidgeon-Island, and another battery; and afterwards must have lain at the distance of three miles from the landing-place. Notwithstanding these objections, Mr. Moore offered to make the

An. 1760. attempt, if the general officers thought a communication at that distance could be kept up to their satisfaction, as is proved by his letter to general Hopson on that subject.

P. 135, "The commodore told the general, that he made no doubt of being able to reduce the town of St. Pierre; but as the ships might be disabled in the attack, so as not to be in a condition to proceed immediately on any other material service; as the troops might also be reduced in their number, so as to be incapable of future attacks; and as the reduction of the island of Guadalupe would be of great benefit to the sugar-colonies, Mr. Moore proposed, that the armament should immediately proceed to this island."—To these reasons the commodore added many others of equal importance. His proposal of turning their force against Guadalupe was suggested by his desire of doing service to his country, and honour to the arms of his sovereign: aims which could not be accomplished by an attack on St. Pierre, because, if it had been taken, it could not be garrisoned *, and consequently this achievement could not have contributed to the reduction of Martinique; but had the ships been disabled in this service, it might have frustrated their design upon Guadalupe, the conquest of which was an object of much greater importance.

Id. ibid. "Besides, Martinique was an object of greater importance than Guadalupe."—Marti-

* The general was in doubt of being able to garrison it, because the town was commanded by the hills, from

whence the enemy, unannoyed, might continually harass the troops.

nique is important only as being the seat of government. The produce of it is not comparable to that of Guadalupe. This was a circumstance well known to Mr. Moore; who was also sensible, that the French privateers were chiefly equipped at Guadalupe, by the assistance of their neighbours the Dutch, settled on the island of St. Eustatia. He considered, that Martinique being at a much greater distance from that island, his cruisers might the better interrupt their commerce; and it appears, from the French memorial, this was done effectually; so that the privateers of Martinique would have been almost suppressed, had not the French of that island been supplied with provisions and stores by the people of B——s. The conduct of the commodore, in keeping some cruisers always employed to prevent this scandalous traffick, brought upon him the implacable resentment of those who had found their advantage in this correspondence with the enemies of their country: hence those envenomed arrows of calumny, that were so plentifully discharged against his character.

P. 136, “ Before the resolution of proceeding to Guadalupe was taken, the commodore had ordered the bay to be sounded, and directed the Rippon to advance and silence a battery, situated a mile and a half to the northward of St. Pierre: accordingly captain Harman who commanded the ship, stood in; and, anchoring close to the shore, attacked it with such impetuosity, that in a few minutes it was abandoned.”—Commodore Moore, as a previous step to the disembarkation of the

An. 1760. troops, sent the Rippon to demolish a small fort at the end of an entrenchment, which could have been flanked by the ships when this battery was silenced. Captain Jekyll (not captain Harman) commanded the Rippon, and executed his orders in a few minutes. The damage he sustained was from one or two small batteries on the side of the hill, at some distance from the sea-side, which had not been perceived; but the Rippon was called off by the commodore, as soon as that step could be taken with propriety.

P. 137, "The British Squadron having arrived at Basseterre, a council of war was held on board of the commodore's ship; where it was resolved to make a general attack by sea upon the citadel, the town, and other batteries by which it was defended."—There was no council of war held upon this occasion. The commodore, being well acquainted with the place, made a disposition for the attack, from which he would not be diverted by the opinion of the chief engineer, and other officers, who, after having reconnoitred the fortifications, declared they thought them impregnable to shipping—as appears from Mr. Moore's letter to the secretary of state.

Id. *ibid.* "At nine the Lyon, commanded by captain Trelawney, began the engagement against a battery of ninety guns:" for ninety, read nine.

P. 138, "The commodore, who had shifted his flag into the Woolwich frigate, kept aloof, without gunshot, that he might be the more disengaged to view the state of the battle, and give his orders with the greater deliberation."—The commodore,

modore, after having made a proper disposition, shifted his broad pendant on board the Woolwich of forty guns, as well to direct and keep the transports together in a proper posture for landing with the first opportunity, as to cover the disembarkation; and also to consult proper measures with the general, who saw the necessity of Mr. Moore's being with him, and requested that he, with the other general officers and engineers, might be admitted on board the Woolwich, in order to consult, and take the earliest opportunity of landing the troops, as the service necessarily required. That this was a judicious measure, appeared in the consequence. Above fifty different signals were made from the Woolwich to the transports, by which they were kept together, so as to be ready to land at an hour's notice. At noon the commodore, having spied a proper opportunity, proposed to stand in, and land them a little to the northward of the town; but this motion was not approved by the general officers. At three in the afternoon he repeated his offer, assuring them he could perform the service at that time, though the firing had not ceased; and expressing his fears, that, if the disembarkation should be delayed much longer, the opportunity for that night would be lost, as the transports were liable to be separated by different veins of wind from the hills, and the various outlets from the bay. This second representation produced no effect: but in the twilight the general desired he would provide boats for six hundred men, at the head of whom colonel Clavering was ready to land, and take post on the

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island. After having observed that they laid him under great difficulty by requesting that so late in the evening, which might have been granted so easily when it was first proposed, he took his measures with such expedition and success, that in less than an hour the troops were rendezvoused under the Woolwich's stern, when the landing was again postponed; though the evening was favourable, the Woolwich at that time very near the shore, and the Spy sloop within her, almost close to the beach. In consequence of this delay, it was found extremely difficult to dispose of the men for the night, as it would have been impossible for them to find their respective transports in the dark: but this difficulty was surmounted by the commodore, who distributed them among the ships of war. Several vessels, set on fire by the enemy, being seen driving about, Mr. Moore, with the transports, kept to windward all night, in such a situation as to be able to chuse his anchorage next day. At the same time he directed the bomb-ketches to play upon the town to amuse the enemy, and keep them at a distance, that the troops might land next morning without opposition.

P. 139, "In the mean time, the captain (of the Rippon) threw out a signal of distress, to which no regard was paid, till captain Leslie of the Bristol, coming from sea, and observing his situation, ran in between the Rippon and the battery."

—The Rippon was not more exposed than any other ship. There was no signal of distress seen by any person on board the Woolwich; and, if there had, there was no occasion for an order to the captain

tain of the Bristol, who, by an article of war, was directed, as being the nearest ship, to go to her assistance. An. 1760.

P. 140, " In the morning, at day-break, the enemy appeared, to the number of two thousand, about four miles from the town, and began to throw up intrenchments in the neighbourhood of a house where the governor had fixed his headquarters, declaring he would maintain his ground to the last extremity. To this resolution, indeed, he was encouraged by the nature of the ground, and the neighbourhood of a pass called the Dos d'Ane, a cleft through a mountainous ridge, opening a communication with Capesterre, a more level and beautiful part of the island. The ascent from Basseterre to this pass was so very steep, and the way so broken and interrupted by rocks and gullies, that there was no prospect of attacking it with success, except at the first landing, when the inhabitants were under the dominion of a panic." —The enemy threw up no intrenchments in the way to the Dos d'Ane:—the pass was hilly, but very accessible by means of a tolerable road, tho' stony and rugged. When the governor of Guadalupe rejected the proposal sent with the flag of truce, the general would have tried the effect of a second message, which Mr. Moore warmly opposed, recommending it to him to second his blow while the enemy were in consternation, and offering to assist him with the marines who were under his command. This attack he the more strongly recommended, as he knew the nature of the climate, and foresaw the troops would soon be weak-

An. 1760. ened by distemper. Had his advice been taken, in all probability, the conquest of the island would have been finished in a few days; for all or most of the posts which the enemy possessed on the Capesterre side, were fortified after the landing of the English forces: and, whatever may have been said of the bravery of the inhabitants, certain it is, that, as soon as they were attacked, they abandoned all their posts successively, almost without resistance; nor was there any reason to extol the courage and intrepidity of madam Ducharmey, who was said to have defended her plantation at the head of her slaves and dependents.

P. 143, " In the mean time, the reduction of the islanders, on the side of Guadalupe, appearing more and more impracticable, the general resolved to transfer the seat of war to the eastern and more fertile part of the island, called Grandeterre, which was defended by a strong battery called Fort Louis. In pursuance of this determination, the great ships were sent round to Grandeterre, in order to reduce this fortification, which they accordingly attacked on the thirteenth day of February."—Mr. Moore detached the Berwick, commanded by captain Harman, with some other ships of the line and bomb-vessels, having on board draughts of marines and highlanders. He directed them to attack Fort Louis, which they accordingly reduced. They had orders afterwards to cruise all round the island, to prevent the landing of any succours from St. Eustatia, and this service they effectually performed: for the enemy, by their own confession, had no provision in the mountains, nor any sort of supply

supply but what they drew from their stores in Basseterre. When the marines had taken possession of Fort Louis, Mr. Moore, at the desire of general Hopson, went on board the Panther, accompanied by colonel Clavering, to reconnoitre the coast, and fixed upon a landing-place near Arnouville, where the troops were actually disembarked.

P. 145, "The enemy no sooner perceived the coast clear, than they descended from the hills, and endeavoured to take possession of the town: they afterwards erected a battery—in the midst of these hostilities the gallant Debrisay, together with major Trollop, one lieutenant, two bombardiers, and several common soldiers, were blown up, and perished by the explosion of a powder magazine."—The town was intirely demolished, except some few houses at the end next Fort Royal: and those that came down were only attracted by curiosity to see the ruins—the enemy had but two cannon, and these were spiked up by those that made a sally from the citadel—when the magazine blew up, Mr. Moore sent ships immediately to the assistance of the fort, which however had sustained very little damage.

P. 145, "In the mean time, commodore Moore having received certain intelligence, that Monsieur de Bompert had arrived at Martinique, with a squadron, consisting of eight sail of the line and three frigates, having on board a whole battalion of Swiss, and some other troops to reinforce the garrisons of the island, he called in his cruisers, and sailed immediately to the bay of Dominique—
for

An. 1760. for what reason Mr. Moore did not sail immediately to the bay of Port-Royal in Martinique, where he knew the French squadron lay at anchor, we shall not pretend to determine."—The bay of Dominique was the only place in which the commodore could rendezvous and unite his squadron. Here he refreshed his men, who were grown sickly, in consequence of subsisting on salt provision: here he supplied his ships with plenty of fresh water: here he had intercourse once or twice a day with general Barrington, by means of small vessels which passed and repassed from one island to the other. By remaining in this situation, he likewise maintained a communication with the English Leeward islands, which being in a defenceless condition, their inhabitants were constantly soliciting the commodore's protection; and here he supported the army, the commander of which was unwilling that he should remove to a greater distance.—Had he sailed to Port-Royal, he would have found the enemy's squadron so disposed that he could not attack them, unless M. de Bompert had been inclined to hazard an action. Had he come to anchor in the bay, all his cruisers must have been employed in conveying provisions and stores to the squadron. There he could not have procured either fresh provisions or water; nor could he have had communication with, nor intelligence from, the army, or the Leeward islands, in less than eight or ten days.

P. 146, "General Barrington being left with no more than one ship of forty guns, for the protection of the transports, formed a plan of prosecuting the war in Guadalupe by detachments."—

The commodore could not be said to have left the general, inasmuch as the squadron lay almost in sight of Capesterre, and he was at hand to afford either his advice or assistance. His advice he accordingly gave freely, with respect to the plan for the reduction of Guadalupe, particularly for landing at Arnouville; and it appears from general B——'s letter to this gentleman, that he had done every thing that could be expected from him, for the good of the service.

P. 147, "Colonel Clavering landed with about eighty men, but found himself so entangled with mangrove trees, and the mud so impassably deep, that he was obliged to reembark."—The commodore never dreamed they would attempt landing in this place, knowing that the enemy had driven stakes under water for the destruction of the boats. The inconveniencies of landing here he had represented to the general, before he failed to Dominique.

Id. *ibid.* "This project having miscarried, the general detached the same commanders with a detachment of fifteen hundred men, to land in a bay not far from the town of Arnouville, at the bottom of the little Cul de Sac, under the protection of his majesty's ship the Woolwich."—The commodore had pitched upon this as the only place at which the landing could be properly effected, and sent thither the Woolwich to cover the disembarkation.

P. 150, "At the same time col. Crumpe was detached with seven hundred men to the bay of Mahaut, where he burned the town and batteries, which he found abandoned, together with a
vast

An. 1760. vast quantity of provisions, which had been brought from the island of St. Eustatia."—The commodore employed his cruisers with such effect, that no provisions were landed at Mahaut since the first attack of the island. A trader of St. Eustatia offered to supply the commodore with ten thousand barrels of beef, at an under-price, declaring without scruple, that the British cruisers had effectually prevented him from disposing of it at any French market. Besides, the inhabitants of Guadalupe would have been chargeable with the greatest absurdity, had they collected magazines of provision in the defenceless town of Mahaut, situated at such a distance from the center of their posts, while their enemies had it in their power to cut off the communication: but, if they had, it would have reflected no blame upon the commodore, who had done every thing in the power of ships to prevent it.

P. 152, "The inhabitants had just signed the agreement, when a messenger arrived in their camp, with information that Mr. de Beauharnois, the general of the French islands, had landed at St. Anne's, to the windward, with a reinforcement from Martinique, consisting of six hundred regulars from Europe, and about two thousand Buccaneers, with a great supply of arms and ammunition, mortars, and artillery, under convoy of the squadron commanded by M. de Bomparr, who no sooner learned that the capitulation was signed, than he reembarked the troops and stores with all possible expedition."—The troops which were landed did not exceed six hundred blacks and whites,

whites, and these in a wretched condition, so that if they had stayed, they might all have been taken prisoners ; as Mr. Moore would have gone up and landed his marines on the back of Mr. Beauharnois, who would have found himself between two fires. As for Buccaneers, they existed nowhere but in imagination. The date of those adventurers expired above fifty years before this period. An. 1760.

P. 158, " Immediately after the capitulation of Guadalupe, he summoned the islands called Santos and Deseada to surrender."—These islands were not summoned till a considerable time after general B——— had sailed for England.

Id. *ibid.* " But his proposal was rejected by the inhabitants of Marigalante—The general resolving to reduce it by force, embarked a body of troops on board of transports, which sailed thither under convoy of three ships of war and two bomb-vessels from prince Rupert's bay ; and at their appearance, the islanders submitting, received an English garrison."—The commodore sent thither a strong detachment of ships, at whose arrival the inhabitants immediately capitulated.

P. 159, " Before this period, commodore Moore having received intelligence that M. de Bompert had sailed from Martinique, with design to land a reinforcement on Guadalupe, and that his squadron was seen at sea seven leagues to windward of Marigalante, he sailed from prince Rupert's Bay, and turned to windward ; but bringing to about noon, he fell to leeward, and lost as much in the day as he gained in the night."—The commodore never brought to but in order to receive letters from general
neral

An. 1760. neral B——. These he thought it his duty to stay for, as he did not know but his not receiving them, at such a critical juncture, might be attended with bad consequences. He carried a press-sail night and day, with a view of coming up with the French Squadron; nor did he neglect any step that could be taken for that purpose. Had he pursued any other course than that which he followed, the French commander might have run into the road of St. Kitt's, and destroyed or taken a great number of merchant-ships, which were then loading with sugar for England. Mr. Moore practised every expedient and stratagem he could devise for bringing M. de Bompert to action. He even sent away part of his squadron out of sight of the inhabitants of Dominique, that they might represent to their friends of Martinique, his force much inferior to what it really was: but this had no effect upon M. de Bompert, who made the best of his way to Cape Francois, on the island of Hispaniola.

P. 160, "General Barrington himself went on board the Roebuck in the latter end of June, and with the transports under convoy of Capt. Hughes, and a small squadron, set sail for Great Britain."—General Barrington sailed a whole month before Captain Hughes took his departure.

We shall conclude this volume with rectifying another mistake of less importance, which had crept into the fifteenth Number of the Continuation, p. 210, relating to a petition delivered to the house of commons, by several inhabitants of Southwark, in opposition to a bill, intitled, "An act to improve, widen, and enlarge the passage over and

Mistake relating to a bill in parliament for improving London Bridge.

and through London-Bridge;" enforcing the payment of the toll imposed upon loaded vessels, which had been found burthensome to trade: it is said, " This remonstrance made such an impression on the house, that several amendments were made to the bill, &c."—The truth is, when the petition was read, Mr. B——, member for the borough of Southwark, made a motion that the house should enter upon its merits, and called upon Mr. H—— the other representative of Southwark, to second his motion; but that gentleman declared he should not support a measure which he could not approve. No farther notice was taken of the petition, than its being inserted in the printed votes: the bill was, on the motion of Sir John Ph——s, read for the third time, and passed without the least alteration or debate.

P. S. We think it our duty to acquaint the public with our having received intimation, that the incident recorded in the last Number, relating to the murder of one Mrs. Clarke in Buckinghamshire, is a mere fiction of idle petulance, which had gained admittance into all the papers of public intelligence, and was generally believed as a fact.—To impostures of this kind every historian must be necessarily exposed.